Previous references.

File No. 19 X
9 04 05

190

(III - Courts)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos: 1 & 3

PART B FOR November.

SUBJECT.

Sales of immovable properties in execution of the decrees of Civil Courts by Revenue officers.

FILE No. 128 of 1904-05.

Sales of immoveable properties in execution of decrees of Civil Courts by Revenue officers.

1 To the Revenue Commissioner in Mysore, No. 2184—J., dated the 11th April 1904.
Requests him to investigate and favor the Government with his views on the question of conducting sales of immoveable properties in execution of civil decrees by Revenue officers.

2 From the Revenue Commissioner in Mysore, No. 3197, dated the 7th October 1904.
States that the opinions of the Deputy Commissioners of the Districts who were consulted on the subject and of their local officers are conflicting; that he is personally averse to Revenue officers being required to undertake this additional work, but if required the execution of decrees against properties paying Government an assessment of not less than Rs. 500 may be transferred to the Deputy Commissioners of Districts.
Enclosure letters from Deputy Commissioners of Districts with their enclosures 34.

3 Government Proceedings No. J. 1323-4—C. 128-3, dated the 22nd November 1904, to the Revenue Commissioner in Mysore and the Registrar of the Chief Court.
States that under the circumstances the Government are unable to accord sanction to the proposed change.

G. R. S

Endorsement to the Assistant Secretary in charge of the Representative Assembly Report, Section No. J. 1325—C-128-3, dated the 22nd November 1904.
Forwards copy of the above.

1/94

G.R.S. 11]

1904-05.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 128

FILE HEADING.

Sale of immovable properties in execution of decrees of civil courts by Revenue officers.

From

The Revenue Commissioner in Mysore

No. 8197 Dated 7.10.04. Received 14/10/1904.

Diary No. J 833 | Enclos. 8 + 34 | Spare Copies. — | Serial No. 2

BRIEF ABSTRACT OF LETTER.

States that the opinion of the Deputy Commrs of Districts, who were consulted, of their local officers is conflicting; that personally he is averse to Revenue officers being required to undertake this additional work; but if required the execution of decrees against properties paying for an assessment of not less than Rs 500/ may be transferred to the Courts.

NOTES AND ORDERS.

1. This is a reply to this office No. 2184/J of 11/15th April 1904, in which the Res. Commr was requested to invite Judl favour forwd with his views on the abovementioned question subject No. 34 of the Leg. Assembly Proc, 1903. The opinion of this Brief Judge is recorded as follows

Recorded 13 Oct-11-04

NOTES—First sheet.

IGCPB—25,000—18-8-04

General and Revenue Secretariat.

File No. 128 of 190 4 - 05

Serial No.

2. "Most of the Sales by auction are made in the Court house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to 'Revenue officers' which in most cases means to 'Sheikdars'."

3. The proposal was repeated this year (vide Subject No. 6th of the list of general subjects that were brought forward for discussion before the Representative Assembly). The Govt. have replied that the proposal is impracticable.

4. The Office begs to submit whether in the light of the above reply it is required to collate the opinion of the Zillas Courts & their local officers on the consideration of Government Govt for orders

5. Govt may pass an order summarising briefly the opinions of the Dist Courts & the Chief Court, & observing that the Govt do not consider that the change proposed would be beneficial,

NOTE—Contn. sheet.

MGCPB—10,000—31-8-04.

General and Revenue Secretariat.

File No. 126 of 190 4-05

Serial No.

and that the same cannot therefore be accepted

4-11-04

Draft Sd
5/11/04. 5-11-04 Sec'y

5-11-04

6. Draft submitted to the Diwan Saheb thro' the Sec. Councillor

970/12-11-04

12-11-1904

7. No change is called for. I agree to the order proposed to be passed.

12-11-04

14-11-1904

14/11/04

2700/45.3 Govt. Proc. No. J1323-4/C128-3 dt 22/11/04. To the Commissioner in Mysore & the Director of the Chief Court.

States that the Govt. are unable to accord sanction to the proposed change.

To the Hon'ble Secy in charge of the Dept. Report Section No. J1323-4/C128-3 dt 22/11/04.

Forwards copy of the above

MGCPB—10.000—31-8-04.

Dasara Branch

1904.

From.

The Secretary to Government,

General & Revenue Departments.

To.

The Revenue Commissioner in Mysore

Dated Bangalore, 11th April 1904.

No. 2184

-oooooOoooooo-

General Subject No.57 of D.R.A. (1903)

By conducting sales of immovable property of decree of Civil Courts through their Ameens, defendents (judgment-debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of Civil Courts may be ordered to be conducted by Revenue Officers.

The opinion of the Chief Judge is:-

"Most of the sales by auction are made in the Court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the Judge. There appears no good reason to entrust the duty to "Rev. Officers" which in most cases means to 'Shekdars'".

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

"By Order"

12/4/04

Secretary.

2915
Rev

8417

No. 3197

OFFICE OF THE REV. COMR. IN MYSORE,
Bangalore 7th October 1904

FROM

T. ANANDA ROW, ESQ., B.A.,
Revenue Commissioner in Mysore.

To

The Secretary to the Government of His Highness
the Maharaja of Mysore,
General and Revenue Departments.

SIR,

34

With reference to your Docket No. 2184/ J dated 15th April 1904 regarding the conduct of sales of immoveable property in execution of decrees of Civil Courts by Revenue Officers (Subject No. 57 of D.R.A. 1903) I have the honor to state that I requested the Deputy Commissioners of Districts to favor me with their opinions and those of the Assistant Commissioners and Amildars under them. The opinions received from the Districts are forwarded herewith in original (as marginally noted) from which it will be seen that the opinion of the local officers consulted is conflicting.

No 360 dated 28th May 1903 from Deputy Commissioner,	Tumkur.	
No. 6002/540 of 18th June "	Kolar Enl. 7	
No. 359 dated 17th June "	Kadur Enl. 1	
No. 357 dated 16th June "	Pro. 1	
No. 515 dated 21st June "	Shimoga Enl. 6	
No. 11/R dated 20th July "	Hassan Enl. 5	
No. 63 dated 27th July "	Mysore Enl. 15	
No. 49 dated 5th August "	Bangalore	
No. 10 dated 19th August "	Chitaldrug Enl. 1	
	9+26	

Personally I am averse to Revenue Officers being required to undertake this additional work which is likely to interfere with their legitimate duties and what is perhaps more inconvenient, place them in a way departmentally subordinate to the Civil Courts. But if Government a com-

promise be considered expedient, Government may direct that the execution of decrees against properties paying Government an assessment of not less than Rs500/ may be transferred to the Deputy Commissioners of Districts for execution.

I have the honor to be,

Sir,

Your most obedient servant,

For Revenue Commissioner.

A.N.

12 oct 04

9

THE OFFICE OF THE REVENUE COMMISSIONER
No 1653
22 AUG 1904
BANGALORE,
IN MYSORE

From
A. Ramaiyangar Esq
Deputy Commissioner
Chitaldrug District

To
T. Ananda Rao Esq B.A.
Revenue Commissioner in
Mysore Bangalore

Dated 19th
Despatched } August 1904
Received

Camp
~~General~~ No. 10
No.

Enclosure No. 1

Furnishing opinion in the matter of sales of immoveable property under the decrees of Civil Courts being conducted by the Revenue Officers

Have all the reports been now received. If not send urgent reminders

lia.
22 aug

Subd.
Replies have been received from all obs. 4. 22/8/04

J.K. Notify a brief note for orders authority
all rebates
22-8-04

4
Camp
No. 10
Enc 1 memo

Deputy Commissioner's Office,
Chitaldrug District.
Dated Camp Gadmakunte, 19th August 1904

From

A. Ramanujaengar Esquire,
Deputy Commissioner,
Chitaldrug District.

To

T. Ananda Rao Esquire B.A.
Revenue Commissioner in Mysore,
Bangalore.

Sir,

With reference to your memo No. 7113-20 dated 12th May last, calling for an expression of opinion on the suggestion contained in General Subject No. 34 of Dasara Representative Assembly 1903 in the matter of sales of immoveable property under the decrees of Civil Courts being entrusted to the Revenue Officers, I have the honor to state that both the 1st and 2d Assistant Commissioners as well as the Amildars of Chitaldrug, Jagalur, Molakalmuru and Davanagere Taluks in the District were consulted and a memo containing the substance of their reports is herewith submitted.

2.

2. The Chief point of complaint is that judgment debtors are subjected to heavy loss by the sales being conducted on the court premises in the absence of proper bidders.

3 But the remedy suggested does not appear to be a feasible one. The higher Talik Officers are already overburdened with work and it has been found necessary to give them some relief even in the matter of Revenue Sales by empowering Sheikdars to conduct them upto a money limit of Rs 100/-. The Sheikdars again under the new Scheme have more than enough to do, as a glance at the long list of duties required of them under Government Proceedings No 2163-7 dated 11th February 1904 would show. I am unable therefore to recommend any further addition to the duties of Amildars or Sheikdars

4. The complaint in question is no doubt well founded. The likely bidders for immoveable property are generally the owners of similar property in the same neighbourhood. Such likely bidders do not get sufficient notice and even if they did, they have no sufficient

inducement to travel far from their villages to attend the sales on the Court premises with the uncertainty of securing the property for themselves at the sales. I am of opinion therefore that it would answer the purpose well, if the sales in question were ordered to be invariably held at the place where the property is situated by the Court Ameens themselves after due notification of the intended sale at such place and its neighbourhood, with the aid of the village Officials and the respectable inhabitants of the locality.

I have the honor to be,

Sir,

Your most obedient Servant,

R. Humphrey

Deputy Commissioner

Chittagong District

Memo

Substance of the reports containing the views of the Assistant Commissioners and Amildars of the Chitaldrug District in the matter of sales of immoveable property under the decrees of Civil Courts being conducted by the Revenue Officers.

Mr C. Srikanteswara Iyer
First Assistant Commissioner
Davanagere.

In most cases where sales are made in the Court house or near it, the judgment debtors have the best opportunities of exposing fraud or irregularities promptly. In cases where sales are conducted Elsewhere, as a rule they are held in the presence and with the aid of the local village Officials and as such the judgment debtors at present have the advantage of the Ameen and Revenue Officers' actions watched by Each other, which they would lose were the sales

Entrusted.

Entrusted solely to the latter who in most cases cannot be any other than Sherkdars who are the very officers that furnish the particulars regarding the properties that are brought to sale. There would thus be greater room for malpractices, if any, in depriving the Ameens of their responsibility. The real remedy lies in the judgment debtor's hands.

Conducting the sale in the place where the land is situated and conducting it in the presence of a responsible officer are the two conditions necessary to secure a fair result. The Representative Assembly, it appears, had in view mainly the first condition while the Chief Judge directed his attention mainly to the 2d. It does not seem to be possible to combine both the conditions without

Wm. B. Venkoba Rao.
Second Assistant Commissioner.
Chitaldrug

without a notification under Section 320 of Civil Procedure Code, transferring the Execution of certain decrees to the Deputy Commissioner. The certain decrees referred to above, may be those regarding the sale of immoveable property, the Estimated Value of which is more than Rs 100/-. For if Land Revenue Rule No. 98 be referred to, it will be seen that the sales in such cases can be conducted only by an Amildar or higher Officer but not by a Sherkdar, the objection of the Chief Judge thus being removed.

Mr. V. Parthasarathiengar
Amildar of Chitaldrug Taluk

Taluk Officers are already overburdened with work of various kinds and as the Chief Court surmises if these sales are ordered to be held by Revenue Officers, they will have to be done mostly by the Sherkdars who also under the altered rulings of Government have large responsibilities. If the sales can be

be held at Taluk Head Quarters, the Taluk Sheristedars in the absence of Amildars, may attend to them.

Mr. B. Krishna Singh
Amildar of Jagalur Taluk

There is a good deal of truth in the statement that by conducting sales of immoveable property of decrees of Civil Courts through the Court Ameens, the defendants (judgment debtors) are subjected to heavy loss and deception. This is the case not only in the Province of Mysore but also in British India where similar complaints are often made for the modification of the present practice and procedure in this respect. Instances are not wanting to show that immoveable property worth thousands of rupees was sold in satisfaction of a decree at the Court house for little less than half its value, the property being situated many miles

away—

away from the court house where the sale took place, and that sales conducted by the Court Ameens Elsewhere were con--ducted with similar result not at the place where the property was situated but in a Chavadi of a neighbouring village. Such cases cannot but prove ruinous to the interests of the unfortunate defendants in Civil Courts. There can be no two opinions as to the fact that it is always safe and advantageous to the defendant to Conduct the sale of his im--moveable property at the spot where it is situated. In case of sales conducted at the Court house it is better to fix certain limitation say property situated within a distance of 10 miles from the Court house. In all other cases, it would be more satisfactory to conduct the sale at the spot by some responsible Officer of the State

rather

rather than by an ill paid Ameen. The objection of the Chief Judge can easily be avoided by fixing the limitation of the value of the immoveable property to be sold. In all cases where the property is subjected to sale in satisfaction of a decree for a sum of Rs 25/- and above, the sale shall be conducted by the Amildar within whose jurisdiction it is situated and for sums less than Rs 25/- the Sherkdar may be entrusted with the sale. In all such cases it is essential that sales must take place at the spot and further it will certainly improve matters considerably if such sales are conducted by responsible Revenue Officers rather than by Ameens The position and influence commanded by the former along with their local knowledge and experience of the market value of the property is in itself a positive proof as to ensure

the

the sale of immoveable property of judgement debtor for a reasonable price and the same cannot be expected of Ameens under any circumstances.

Mr. Narasinga Rao
Amildar of Mdacalmuru Taluk.

There is no necessity for the interference on the part of the Revenue Officers in the case of sales of immoveable property under the decrees of Civil Court conducted at the Court house, as there are better opportunities for the parties to bring to the notice of the judge any fraud or irregularities in connection with those sales, but the question is whether the sales of immoveable property held by the Court Ameens at the place where it is situated could be entrusted to the Revenue Officers, with a view to check any deception in such sales. The Court Ameens in conducting the sales of immoveable property at the spot, will sometimes absolutely require the help of the Officials of the Revenue Department. These Court Ameens cannot be said

aid to be superior in status. to
he Hobli Sheikdars to possess
e local influence of procuring
he large attendance of bidders
t the sales and to conduct the
ales always without room for
malpractices. It is not Easy for
e unfortunate parties to prove
ny irregularity in the sale once
onclided. It is therefore more
dvantageous and profitable
o the parties, if the sales are
onducted by the Sheikdars whose
tatus will be greatly improved
y the new scheme rather than by
e Court Ameens. There is not
o much Convenience and facility
o the Official of Other Departments
s there is for the official of the
evenue Department, to notify to
e people the business on which
he visits a village and to obtain
help from them for the Execution
of his business. It is therefore
proposed that the sales of

immoveable

immoveable property under Civil Court decrees worth Rs 100/- Value may be entrusted to the Sheikdar and if the sales of property exceeding the above Value cannot conveniently be retained by the Civil Courts themselves, they may be transferred to the Amildars.

Mr. B. S. Venkatesiah
Amildar of Davanagere Taluk.

In most cases of sales of immoveable property under the Civil Court decrees held at the Court-house, the decree holder will buy off the property only for such amount as is sufficient for him, owing to the ignorance of the bidders at the Court as to the Value ~~&c~~ of the property put up to sale. This will result in heavy loss to the judgment debtors. Adequate price can be secured, if every sale is held at the place of the property either by Court Ameens or by Hobli Sheikdars as it will be convenient for the parties and

the

the persons interested in them to arrange at such places to secure proper bids. The Revenue Officers with their knowledge of local circumstances and the quality and the market value of the property, will be competent to fix a reasonable upset price and sell only so much of the property as is sufficient to realize the decree amount. Any deception or irregularity in the sales, if brought to the notice of the higher officers who can sift the truth with the help of their local knowledge, can be properly dealt with. The Court Amins being ignorant of the local circumstances will be at the mercy of the decree holder who would cause the property of the Judgment debtor sold recklessly to his best advantage though

at

at a heavy loss to the defendant. Therefore these sales may be entrusted to the Revenue Officers. The holding of sales at the spot affords facility to the intending bidders of the place and its neighbourhood to attend the sale as they will be saved the difficulty of going to the place of Court and the attendant expenses in cases in which sales are held at the Court house

Deputy Commissioner
Chittagong District

Gen. 31]

THE OFFICE OF THE REVENUE COMMISSIONER
No. 1186
8 AUG. 04
BANGALORE,
IN MYSORE

From
The Dy. Commissioner
Bangalore Dt

To
The Rev: Comr in Mysore
Bangalore

Dated 5th
Despatched } August 04.
Received

General No.
R.C. No. 49.

Enclosure No.

Rev: Comr's No 7113-20 of 12th May 04.

Submits opinion on the subject of conducting sales of immovable property under decrees of civil courts

Return with
Mr. Wardell
replies here incl?
[illegible] 8/8/04

File pending - Reply due from
Chief Ct. [illegible] 4/8/04

To Mr. Wardell
Put up when
received
[illegible]
[illegible]

18

R. C. 49

Bangalore District

Dy Commissioner's office

Bangalore 5th August 1921.

From,

D Devaraj Urs Esq

Dy Commissioner

Bangalore Dt

To,

T. Ananda Rao Esq B.A.

Rev: Tour in my Sore

Bangalore.

Sir,

With reference to your memo No 7113-20 dated 12th May 1921, calling for opinion in conducting sales of immovable property under decrees of Civil Courts, I have the honor to state that the Assistant Commissioners

of

of Bangalore and Dodballapur ranges are of opinion that the sale might be held in the village where the property lies, on the ground that due publicity of the sale will be given to the public and that it would fetch proper price. The Assistant Commissioner, Bangalore Range, states that if the Revenue Officers hold these sales they will be obliged to attend Civil Courts to give evidence in suits or miscellaneous proceedings arising out of these sales and that this will materially interfere with the Revenue work which is growing heavy and that therefore the work may be entrusted to Amildars; while the Assistant Commissioner Dodballapur range states that

that the sales may be conducted by the Revenue officers in the same manner as revenue sales are held.

The Assistant Commissioner Kolchet Range is of opinion that such sales will fetch better prices and the interest of the judgment debtors will be well secured if they are held before the Amildar or Sheristedar at the Taluk office.

2. The Amildars of the marginally noted Taluks are not in favor of the sales being conducted by Revenue officers, while the Amildars of Anekal, Kankanhalli, Dodballapur and Nelamangala and the Deputy Amildar of Kolchet are in favor of the sales being conducted by the Revenue Officers.

Bangalore
Hoskote
Devanahalli
Magadi
Channapatna

3. I am not in favor of the sales being held by the Revenue officers as

19 as thereby the Revenue work will be interfered with I do not see why the Sales should not be held in the Court itself on some specified days in the month either before the Munsiff himself or before the Head Munshi of the Court. The sales should not, however, be entrusted to such low paid officials as the Ameens.

4 As regards the greater publicity it is the business of the party concerned to get it published in papers and in the official gazette and pay for the same.

I have the honor to be,

Sir,

Your most obedient Servant,

D Devanna

Dy Commissioner

Mm

20.

22

OFFICE OF THE REVENUE COMMISSIONER
30 JUL. 04
BANGALORE.
IN MYSORE

1904 No. 907

From The Deputy Commissioner Mysore District

To The Rev. Commissioner in Mysore

Dated 27 July 1904.

Despatched

Received

General No. 63

No.

Enclosure No 15 reports

Have replies been recd from all Dts?

[illegible]
30 July 03

Sub. Replies have not yet been received from Bangalore & Chittaldrug Dts. [illegible]
2.8.04

Send reminder [illegible]
[illegible]
2/8/04

His Circular Memo No: 7113-20 dated 12th May 1904

— " —

Has the honor to submit herewith, in original, the views of the Assistant Commissioners and Amildars of the District together with

a Memo embodying his own views on the subject

Reports from the marginally noted Amildars were awaited up to this now and these not having been received, the report has been submitted to avoid further delay.

Sandur Taluk.
Kalavatti Taluk.
Hunsur Rocks Sub. Taluk.

Deputy Commissioner
Mysore Distt

Memo

It is a well known fact that even in Revenue sales there is much scope for fraud, if the Confirming authorities do not exercise sufficient Care before Confirming the sale. This being so, it Cannot be expected that the Civil Judges have either the time or the means to scrutinize every sale that takes place in execution of a decree

The Amin or the Ranger, as the Case may be happens to be the Master of the situation and does things as he pleases. Instances are not wanting where, at the instance of the Amin, wrong Survey lots are delivered to parties in executing decrees and room given for similar fraudulent practices much to the inconvenience and loss of parties Concerned

Want of sufficient publicity to the sale is one of the main Causes that Contribute to this undesirable State of things

Equally responsible is the

fact that most sales are held on the Court premises and not on the spot where the lands are situated. These two causes, more than others, contribute most to the loss sustained by the judgement debtor, by giving ample room for deception

I am not at all in favour of this additional work being thrown on the Revenue Officials of the Taluks whose hands are already more than full, nor can I confidently assert that by doing so, all scope for deception will be absolutely removed

The Civil Courts may send their sale notices to the Amildars for due publication and they may also direct that the sales be held before the Amildar of the Taluk in which the property in question is situate. The Ameen should be made to act under the orders of the Amildar, both in publishing the notice as well as in conducting

the sale.

If this procedure be adopted, I am of opinion that the frauds complained of will be put a stop to, to a very great extent if not entirely.

W M Cantley

Dy Commissioner
Mysore Distt

Reg. No. 25 / 27.5.04

23 1904

From K. Srikantiah, Esquire
Acting Extra Assistant Commissioner
Krishnarajapete Division

26-5-04
Now I think almost over the opt cases were submitted since 1 mos. What about the municipal dues?
[illegible]
27.5.04.
M

To M. Kantharaj Urs, Esquire B.A.
Deputy Commissioner
Mysore District

Dated 24-5-04.

Despatched 25-5-04.

Received

General No. 103
No.

Enclosure No.

Submits opinion regarding the sales of immoveable property in satisfaction of decrees of Civil Court.

27. No: 103.

Krishnarajapett division office
Dated 24th May 1904.

From.

K. Srikantiah, Esquire
Acting Extra Assistant Commissioner
Krishnarajapett division

To

Mr. Kanthraj Urs Esquire B.A.
Deputy Commissioner
Mysore District

Sir,

With reference to your memo no: 330 dated 18th Instant, forwarding copies of communications regarding the sales of immoveable property in satisfaction of decrees of civil courts, I have the honour to state that the present system of conducting sales in the court house is most advantageous to the parties concerned. They will have previous knowledge of the sale and they might make necessary arrangement for the property being purchased at reasonable price. In the event of there being fraud or irregularity in the sales, the parties actually sustaining loss have got the advantage of bringing the same to the notice of the court then and there and applying for resale in the court or in the places where the property is situated.

2. Sales of immoveable property, in the civil cases, cannot conveniently be undertaken by the Revenue department and satisfactorily conducted in

in addition to the multifarious work which legitimate-ly belongs thereto. The change proposed will further give room for complaint as the work will have to be delegated in majority of cases to Sheikdars and the sales will have to be conducted in places, quite remote from Courts or Amildar's offices.

I have the honour to be,
Sir,
Your most obedient Servant,
K Krishna Se
Ag: Extra asst Commr
K. pett. Division

29

SUB DIVISION OFFICE
DATE 24-5-04
REG. NO. 933
FRENCH ROCKS.

URGENT.
19/5/04

Memo No: 330

Copy forwarded to the Assistant Commissioner, French Rocks Division for information

The undersigned would be glad to be favoured with his opinion within a fortnight at the latest.

Mysore 18-5-04 } Deputy Commissioner Mysore District

Reg. No. 2539 / 26.5.04

No. 68

Submitted:- No omni the sales conducted by the Amildars at the Court-premises are not so satisfactory as they would have been if they are conducted at the place where the property is situated. If this defect is remedied & the Amildars ordered to conduct the sales in the villages at the place where the property is situated, there would be competition

25-5-04

27-5-04.

Dasara Branch.

1904.

From

L. ANANTASWAMI RAO, ESQ., B.A.,
Offg. Secy., to the Govt. of H. H. the Maharaja of Mysore, Genl. and Rev. Depts.

To

The Revenue Commissioner, in Mysore.

Dated 15th April 1904.

Despatched

Received

General No. 2184.
No J.

General Subject No. 57 of D. R. A. 1903.

By conducting sales of immoveable property of decree of Civil Courts through their Ameens, defendants (Judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of Civil Courts may be ordered to be conducted by Revenue officers.

The opinion of the Chief Judge is:—"Most of the sales by auction are made in the court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue Officers" which in most cases means to "Shekdars."

Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order,
(Sd.) K. S. CHANDRASEKHARA IYER,
For Offg. Secretary.

C. MEMO. 7113-20 & 12.5.04

Copy forwarded to the Deputy Commissioner of ...Mysore... District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of selected Assistant Commissioners and Amildars under him.

(sd) K. Chandy

For Revenue Commissioner.

among the bidders who will have personal knowledge of the value of the property &c.

According to the new scheme the Shankaran's position carries higher status than that of the Ameen. But the Shankaran is already over burdened with such work.

The assistance and co-operation of the Shankaran & village servants may be indented upon, provided the sales are encouraged by the Ameens in the villages concerned.

M Venkatachari

20/5/06 Bd Commr

~~2732~~ Reg 190 No. 2735
14.6.04

From S. Vidyaratha Iyer Esqr
Senior Assistant Commissioner

To M. Kantaraja Urs Esquire B.A.
Deputy Commissioner
Mysore District.

Dated 10th June 1904.

Despatched Camp Ramanajanagar

Received

General No. Camp No 10.
No.

Enclosure No.

~~Sir~~

With reference to your Circular Memo No. 330, dated 18th May 1904 calling for my opinion on the General Subject No. 57 of Bussenah Representative Assembly 1903 regarding the conducting of sales of immoveable property under decrees of civil courts I have the honor

13-6-04
Sir
Ulr
14/6/04
M

33

to state that I am of opinion that such sales may be entrusted to the Revenue Officers provided that

(1) immoveable property worth Rs. 50 and upwards be sold by the Amildars and those that are below that value, by the Shekdars.

(2) that the Amildars and Shekdars be given the liberty to adjourn such sales for a period not exceeding 7 days for sufficient reasons. and

(3) that such sales ~~should~~ be confirmed by the Assistant Commissioners in charge of the Taluq where the property sold is situate.

I have the honor to be
Sir
Your most obedient servant
[illegible]
Senior Assistant Commissioner

Ag. No. 2733
14.6.04

13
14/6/04

34

1904

From C. Devaraj Urs Esquire
Assistant Commissioner
Hassan Division.

To M. Kantha Raj Urs Esq. B.A.
Deputy Commissioner
Cleyne District.

Dated 11th June 1904.

Despatched

Received

General No. No: 89

No.

Enclosure No.

His memo No: 330 dated the 18th Ultimo calling for the opinion of the undersigned re subject No: 57 of D.R.A. of 1903 praying that the sales of immovable property of decree of Civil Courts may be ordered to be conducted by Revenue officers —

With reference to the above has the honor to state that under the

present arrangement of conducting such sales before the Civil Courts the judgment debtors are put to heavy loss as the bidders that may be present before the sales will not have accurate information about the condition and value of the property put to auction and thus there will not be proper bids. It appears therefore reasonable that the properties should be ordered to be sold in the villages in which they are situated in which case it may be hoped that there will be sufficient bidders. It is immaterial whether the sales are conducted by Amins or revenue officers so long as there is no fraud or irregularity in them

Illegible
Assistant Commissioner
Amraoti Division

Reg. No. 2532 / 25.5.04

27-5-04
Put up
[illegible]
27.5.04

38

190

From C. Krishna Rao Esquire
Treasury Assistant
Commissioner
Mysore

To
M. Kantharaja Rao Esquire
B.A.
Deputy Commissioner
Mysore Dt.

Dated 20th May 1904.

Despatched

Received

General No. 85

No.

Enclosure No.

Sir,

With reference to your memo No 330 dated 18th inst, I have the honor to report that under the present circumstances, our Sheikdars are unable to conduct the Revenue sales of lands ~~and~~

Satisfactory and in accordance with the Revenue Rules. As such, I am of opinion that it is not advantageous to encumber them with the sales of lands of civil court decrees & dragged into civil courts frequently.

I have the honor to be,

Sir,

Your most obedient Servant

C Subramaniam

Asst Commr

Mysore Dn.

38 Nagamangala

Dasara Branch.

1904.

From

L. ANANTASWAMI RAO, ESQ., B.A.,
Offg. Secy., to the Govt. of H. H.
the Maharaja of Mysore,
Genl. and Rev. Depts.

To

The Revenue Commissioner,
in Mysore.

Dated 15th April 1904.

Despatched

Received

General No. 2184.
No J.

General Subject No. 57 of D. R. A. 1903.

By conducting sales of immoveable property of decree of Civil Courts through their Ameens, defendants (Judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of Civil Courts may be ordered to be conducted by Revenue officers.

The opinion of the Chief Judge is:—"Most of the sales by auction are made in the court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue Officers" which in most cases means to "Shekdars."

Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order,
(Sd.) K. S. CHANDRASEKHARA IYER,
For Offg. Secretary.

C MEMO. 7113-20 D/12-5-04

Copy forwarded to the Deputy Commissioner of ....Mysore.... District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of Selected Assistant Commissioners and Amildars under him.

(Signed) K. Chandy

~~For~~ Revenue Commissioner.

Confidential.

Memo No: 330 / C.R. 257

Copy forwarded to the Amildar of the Naganangala Taluk for information.

The undersigned would be glad to be furnished with his opinion within a fortnight at the latest.

C. Candrasekhara

Mysore 18.5.04 } Deputy Commr. Mysore District

Sir: 163 / 1905

I beg to submit that it is not practicable now a days to conduct sales for decrees of Civil Courts. Thro' the Shekdars, as they have to attend to multifarious & at times urgent revenue duties. Even during those old days when the Amildars were invested with Civil Powers, they had separate agency for such kind of work.

If any party -

23 10 2 87 / 30-5-04

to the Sub to desire and the Judge also considers that it is advantageous to the party so desired, the Judge may delegate the power of conducting the sale in the village to the Sub Registrar or where there is no Sub Registrar to some Revenue-officer, whom the Collector can spare, on payment of a small commission to such officer.

The commission thus levied may be divided, (in case of delegating the Sub Registrar) among the Sheristadar and the Sub Registrar, as the former will have to do the work of the Sub Registrar for that day.

I think such or similar kind of an arrangement cause inconvenience neither to the participator to government.

I beg to remain
Sir
Your most obedient
Servant
M Ramachandra

W/28/5/09
Recommended
Ja.

Krishnarajpet

32

W 10024

41

URGENT

Memo no: 330/311

Copy forwarded to the Amildar of the Krishnarajpet Taluk for information.

The undersigned would be glad to be furnished with his opinion within a fortnight at the latest

Deputy Commr
Mysore District

Mysore
18.5.04

20-5-04

251/1924

ಮೈಸೂರು ಜಿಲ್ಲೆ
ಕೃಷ್ಣರಾಜಪೇಟೆ
ತಾ||

ಕೃಷ್ಣರಾಜಪೇಟೆ ತಾಲ್ಲೂಕಿನ ಅಮಲ್ದಾರರಿಗೆ ಜ್ಞಾಪನ ಕಳುಹಿಸಿದೆ ಸದರಿ ಜ್ಞಾಪನದ ಪ್ರತಿಯನ್ನು ಕೆಳಕಂಡ ಮೇಲ್ಕಂಡ

Dasara Branch, **1904.**

From

L. ANANTASWAMI RAO, ESQ., B.A.,
Offg. Secy., to the Govt. of H. H.
the Maharaja of Mysore,
Genl. and Rev. Depts.

To

The Revenue Commissioner,
in Mysore.

Dated 15th April 1904.

Despatched

Received

General No. 2184.
No J.

General Subject No. 57 of D. R. A. 1903.

By conducting sales of immoveable property of decree of Civil Courts through their Ameens, defendants (Judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of Civil Courts may be ordered to be conducted by Revenue officers.

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Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order,
(Sd.) K. S. CHANDRASEKHARA IYER,
For Offg. Secretary.

C. MEMO. 7113-20 Dt 12-5-04

Copy forwarded to the Deputy Commissioner of Mysore District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of selected Assistant Commissioners and Amildars under him.

(Signed) K Chandy
For Revenue Commissioner.

Sirinjapatam

42

ತಿರ್ಪುಗಳು ಸಂಖ್ಯೆ 330 ದಿನಾಂಕ 18-5-04 ರಂದು

327 ನೆ 33
1910

ಶ್ರೀರಂಗಪಟ್ಟಣ ತಾಲೂಕು ಅಮಲ್ದಾರರವರ ಕಛೇರಿ.

ಸಂಸ್ಥಾನದ ಪೈಸೂರು ಜಿಲ್ಲೆಯ ಅಮಲ್ದಾರರ ಕಛೇರಿಯಲ್ಲಿ ಕೆಲಸ ನಡೆಸುವ ಗುಮಾಸ್ತರುಗಳು ಕೆಲಸ ಮಾಡುವ ಸಮಯದಲ್ಲಿ ಕೆಲವು ಸಲ ಕೆಲಸಕ್ಕೆ ಬರದೆ ಇರುವುದು ಮತ್ತು ಕೆಲಸ ಮಾಡುವ ಸಮಯದಲ್ಲಿ ಕೆಲವು ಸಲ ಕಛೇರಿಯಿಂದ ಹೊರಗೆ ಹೋಗುವುದು ಮತ್ತು ಕೆಲಸ ಮಾಡುವ ಸಮಯದಲ್ಲಿ ಕೆಲವು ಸಲ ಕಛೇರಿಯಲ್ಲಿ ಕುಳಿತುಕೊಂಡು ಹರಟೆ ಹೊಡೆಯುವುದು ಮತ್ತು ಕೆಲಸ ಮಾಡುವ ಸಮಯದಲ್ಲಿ ಕೆಲವು ಸಲ ಕಛೇರಿಯಲ್ಲಿ ಕುಳಿತುಕೊಂಡು ಮಲಗುವುದು ಮತ್ತು ಇನ್ನೂ ಕೆಲವು ಸಲ ಕಛೇರಿಯಲ್ಲಿ ಕುಳಿತುಕೊಂಡು ಕಾಲಕ್ಷೇಪ ಮಾಡುವುದು ಮತ್ತು ಕೆಲವು ಸಲ ಕಛೇರಿಯ ಕೆಲಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಕಾಗದಗಳನ್ನು ಕಳೆದುಕೊಂಡು ಬಿಡುವುದು ಮತ್ತು ಕೆಲವು ಸಲ ಕಛೇರಿಯ ಕೆಲಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಕಾಗದಗಳನ್ನು ಹರಿದು ಹಾಕಿ ಬಿ

34

46

URGENT

Memo No: 330 / 8465 W 11898

Copy forwarded to the Amildar of the Seringapatam Taluk for information.

The undersigned would be glad to be furnished with his opinion within a fortnight at the latest

C Chandramohan

Mysore 18.5.04

Deputy Commr
Mysore District

19-5-04

25.5.04

Dasara Branch.

1904.

From

L. ANANTASWAMI RAO, ESQ., B.A.,
Offg. Secy., to the Govt. of H. H. the Maharaja of Mysore, Genl. and Rev. Depts.

To

The Revenue Commissioner, in Mysore.

Dated 15th April 1904.

Despatched

Received

General No. 2184.
No J.

General Subject No. 57 of D. R. A. 1903.

By conducting sales of immoveable property of decree of Civil Courts through their Ameens, defendants (Judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of Civil Courts may be ordered to be conducted by Revenue officers.

The opinion of the Chief Judge is:—"Most of the sales by auction are made in the court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue Officers" which in most cases means to "Shekdars."

Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order,
(Sd.) K. S. CHANDRASEKHARA IYER,
For Offg. Secretary.

C MEMO. 7113 - 20 Dt. 12.5.04

Copy forwarded to the Deputy Commissioner of ....Mys. ore District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of Selected Assistant Commissioners and Amildars under him.

(Sd) R Chandra

For Revenue Commissioner.

270/37

412

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6-6-06

31.5.904

36 47

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No 412

URGENT.

Deputy Commissioner
Mysore District

Cir No: 330

Dated 18th May 1904.

Copy forwarded to the Amildar of T. Narsipur Taluk for his information

The undersigned will be glad to be furnished with his opinion within a fortnight at the latest.

Deputy Commissioner
Mysore District.

Mysore
18/5/1904

H.O. Lunsford
Linguists
20/5

Dasara Branch

1903-04.

From
L. Ananthaswami Row, Esq., B.A.
Offg Secy to the Govt of H.H. the Maharaja of Mysore

To Genl and Rev Depts.

The Revenue Commissioner in Mysore

Dated 15th April 1904

Despatched

Received

General No. 2184

No. 107

Enclosure No.

General Subject no 57 of D.R.A 1903.

By conducting sales of immovable property of decree of civil courts through their amens, defendants (Judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of civil courts may be ordered to be conducted by Revenue officers.

The opinion of the Chief Judge is:—

"Most of the sales by auction are made in the court house on hear it. If there is any fraud or irregularity it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue officers" which in most cases means to "Shekdars".

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order
(Sd) K.S. Chandrasekhara Iyer
for Offg. Secretary.

C. memo 7113-20 D/12-5-04
Copy forwarded to the Deputy Commissioner of Mysore District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of Selected Assistant Commissioners and Amildars under him.

Sd. K. Chandy
For Revenue Commissioner

Dasara Branch.

1904.

From

L. ANANTASWAMI RAO, ESQ., B.A.,
Offg. Secy., to the Govt. of H. H.
the. Maharaja of Mysore,
Genl. and Rev. Depts.

To

The Revenue Commissioner,
in Mysore.

Dated 15th April 1904.

Despatched

Received

General No. 2184.
No J.

General Subject No. 57 of D. R. A. 1903.

By conducting sales of immoveable property of decree of Civil Courts through their Ameens, defendants (Judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of Civil Courts may be ordered to be [redacted] by Revenue officers.

The opinion of the Chief Judge is:—"Most of the sales by auction are made in the court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue Officers" which in most cases means to "Shekdars."

Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order,
(Sd.) K. S. CHANDRASEKHARA IYER,
For Offg. Secretary.

C MEMO. 7113-20 dt. 12.5.04

Copy forwarded to the Deputy Commissioner of ....Mysore....District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of Assistant Commissioners and Amildars under him.

(Sd) K. Chandra
For Revenue Commissioner.

422/48

From memo no. 330 dt 14/6/04

copy forwarded to the Amildar of the Ranjangud Taluk for information.

The undersigned would be glad to be furnished with his opinion within a fortnight at the latest.

Mysore 18-5-04 — Deputy Commr Mysore District

Submitted

A memo embodying the undersigned's opinion on the subject is herein enclosed for kind perusal

20-5-904

Amildar

6/6/04.

Submitted to the Deputy Commissioner

Senior Apptl Clerk

23 10602

11.6.04

Distt Sher

19.6.1904

15/6/04

Points

(1) Section 286 of the Civil Procedure Code lays down that sales in execution of decrees shall be conducted by an officer of the Court or by any other person whom the Court may appoint and shall be made by public auction.

(2) Generally all sales of movable or immovable property irrespective of the value of the subject matter are conducted either by an ameen or Nazir of the Court either on the spot or in the Court-house according to the wishes of the decree-holder.

(3) Owing to the uncertainty of the interests of the judgment-debtor in the property the sales are not always attended by a large number of bidders. Further the decree-holder being in almost all cases permitted to bid for or purchase the property in the sales, for obvious reasons, desires to have the sale conducted far away from the place where the property is situated viz the Court-house

50 which prevents most of the likely bidders of the village to be present at the sale, and the result is that very often the property is sold for a sum far below its intrinsic price. The sales being entrusted to the Nazir or the Ameen who is a low-paid official, there is much scope for the judgment-creditor to collude with them and undersell the attached property.

In the case of sales of immovable property held for arrears of Gov^t revenue, Sheikdars are empowered to put up to auction property whose estimated value does not exceed Rs 100; all other cases being entrusted to Amildars.

But in the case of Civil Court-sales there is no such restriction. If the sale is held at the Court house, the Nazir conducts it, if else where it is done by the Ameen, whatever may be the value of the property.

Further the estimated value of the attached property is most perfunctorily ascertained by the Ameen; and the presiding officer of the Court owing to heavy work or otherwise, does not generally scrutinize the estimate formed by the ill-paid Ameen. But in the case of Revenue sales, greater scrutiny is

bestowed on the Sheikdar's proceedings and there is ample scope for the tahilbar to ascertain the Exact Value of the attached property.

The Revenue Officers be...; already hampered with the work of the Department proper, can scarcely do justice to the Selection if Civil Court-Sales are also entrusted to them as suggested by the Representative Assembly.

The evil apprehended, may, in my humble opinion, be remedied by enjoining adequate supervision on the part of the Civil judges and restricting the power of the Ameen or Nazir as the case may be, to Sales of immovable property, the Value of which does not exceed Rs 100, all other sales being entrusted to the Presiding Judge himself.

[illegible]
amildar
6/6/04.

40 Chamarajnagar

Dasara Branch.

1904.

From

L. ANANTASWAMI RAO, ESQ., B.A.,
Offg. Secy., to the Govt. of H. H. the Maharaja of Mysore, Genl. and Rev. Depts.

To

The Revenue Commissioner, in Mysore.

Dated 15th April 1904.

Despatched

Received

General No. 2184.
No J.

General Subject No. 57 of D. R. A. 1903.

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The opinion of the Chief Judge is:—"Most of the sales by auction are made in the court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue Officers" which in most cases means to "Shekdars."

Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order,
(Sd.) K. S. CHANDRASEKHARA IYER,
For Offg. Secretary.

C. MEMO. 7113-20 27/25-04

Copy forwarded to the Deputy Commissioner of Mysore District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of selected Assistant Commissioners and Amildars under him.

(Signed) K. Chandy,
for Revenue Commissioner.

52

No. 14997

URGENT.

Memo no. 330/297

Copy forwarded to the Amildar of the Chamarajnagar Taluk for information.

The undersigned would be glad to be furnished with his opinion within a fortnight at the latest.

Mysore
18.5.04.

Deputy Commissioner
Mysore District

20/5/04 To No 310

ಆಕ್ಷೇಪಣೆ ಪ್ರಮಾಣಕ್ಕೆ 330ನೆ
297
ನಂಬರು - ಪ್ರತಿಕ್ಷೇಪಣೆ -

ಪ್ರತಿವಾದಿಯವನು ಕೆಲವು ಸ್ಥಳಗಳಲ್ಲಿ ಮಾತ್ರ ಮರದ ಬೆಲೆಯನ್ನು ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಹೇಳಿದ್ದಾನೆ ಆದರೆ ಅದು ಸರಿಯಲ್ಲ. ಇದರ ನಿಜವಾದ ಮೊತ್ತವನ್ನು ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಹೇಳಿ ಅದರ ಸಾಕ್ಷಿಗಳು ಕೊಟ್ಟಿದ್ದಾರೆ. ಅದರ ಸಾಕ್ಷಿಗಳು ಸುಳ್ಳು ಹೇಳಿದ್ದಾರೆ. ಅದನ್ನು ಕೆಳಗೆ ನಿರ್ಣಯಿಸಿದೆ.

2 ಆಕ್ಷೇಪಣೆ ಪ್ರಮಾಣದಲ್ಲಿ ಆಕ್ಷೇಪಣೆದಾರನು ಪ್ರತಿವಾದಿಯವರನ್ನು ಕೆಳಗೆ ಕೆಲವು ಸ್ಥಳಗಳಲ್ಲಿ ಮರದ ಬೆಲೆಯನ್ನು ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಹೇಳಿದ್ದಾನೆ. ಅಂದರೆ ಎಷ್ಟು ಬೆಲೆಯಲ್ಲಿ ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಆಕ್ಷೇಪಣೆದಾರನೇ ಅಮಲದಾರರವರನ್ನು ಅಲ್ಲಿ ಹೇಳಿಕೊಳ್ಳಲಿಲ್ಲ. ಅಂದರೆ ಸ್ಥಳದಲ್ಲಿ ಬೆಲೆಯಾದರೂ ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಹೇಳಿದ್ದಾನೆ. ಎಷ್ಟು ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಹೇಳಿಕೊಳ್ಳಲಿಲ್ಲ. ಅಂದರೆ ಅಮಲದಾರರವರು ಕೇಳಿದ ಹಿಂದೆ ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಹೇಳಿದ್ದಾನೆ. ಪ್ರತಿವಾದಿಯವರು ಕೆಲವು ಸ್ಥಳಗಳಲ್ಲಿ ಕೊಟ್ಟಿದ್ದೇನೆ. ಇದರಲ್ಲಿ ಕೆಲವು ಸ್ಥಳಗಳಲ್ಲಿ ಸತ್ಯವಲ್ಲ. ಸತ್ಯವಲ್ಲದ ಹಿಂದೆ ಕೊಟ್ಟಿದ್ದೇನೆ ಎಂದು ಹೇಳಿದ್ದಾನೆ. ಕೆಲವು ಕಡೆ ಕೊಟ್ಟಿದ್ದೇನೆ

ಮೇ ಸಕ್ಷಿಗಳಿಗೆ ಕರೆಯಲಾಗಿತ್ತು- ಕೃಷ್ಣಂ ಸಕ್ಷಿಗಳ
ಕಂಡಿರುವುದಕ್ಕೆ- ಆ ಮೂಲಕ ಅವರು ಹೇಳಿಕೆಯಂ
ರಾಜಿಯ ಸ್ಥೈರ್ಯಕ್ಕೆ ಕ್ರಮವಾಗಿ ವಾಂಛಿಸಿ ಕೊಂಡ್ಯಾಗಿದ್ದು
ನ್ಯಾಯದರಂತೆ ಕೊಂಡ್ಯಾಗಿ- ಕೃಷ್ಣನ ಪತ್ನಿಯರ ಕ್ರಮವಾಗಿ
ಯಲ್ಲಿ- ಕೃಷ್ಣನ ಸಂಗಡ ಕರಂಟವಾಗಿ ಬಂದಿರುವ
ಲಾಸ್ಯರೆಂಬ ದೇವಿಯ ಸ್ತ್ರೀಯರು ಆಕೆಯ ಕ್ಷೇಮ ಕ್ಷೇಮ —
ಸ್ತ್ರೀಯರು ಪರಸ್ಪರ ಮೈತ್ರಿಯಾಗಿದೆ- ಕೊಂಡಿದ್ದಾಗ್ಯೂ
ಕೃಷ್ಣ ಆಗಿ ನಾಮ ಮಂತ್ರಕ್ಕೆ ಕೃಷ್ಣ ದಾರಸಿದ
ಸ್ಥಳ ಕ್ಷೇತ್ರ ನೆಲೆ ಪ್ರಸಿದ್ಧವಾಗಿದೆ- ಕೃಷ್ಣ ದಾರಸುವ
ಸಿ ಅಕ್ರಮಗಳು ವಕ್ಕಿಗಳು- ಹೇಮಾಂಗ ನೆಂಗ್ಯ ಕಿನಾಯ್ಕೆ-
ಕ್ರೋಂಡರಾಂಲಕ್ಷ್ಮಿ- ಪ್ರಕಿಯಾಂದಿಮಾಕೆಯಿದ್ದ- ಕ್ಷ ಕ್ಷ ಹೆ
ಕಿಮಿಸರ ಅಸ ಸ್ಥಳ ವಕ್ಷ್ಯದ್ದು ಸಂಗಡಿ ಕ್ರೀಂ ರಕ್ಷಣೆಯಲ್ಲಿ-
ಅಕ್ಷವಕಿಲಿಲುಹಿಮಾಂಗ ಇರಮಾಡಿಯೆ ಇರುವುದಿ-
ಅಸರಕರಂಗ ಕ್ರೋಕ್ಷಿಮಸ ಅಸಿಯ ಯಾಕೆ ಕರಂಗಸ್ಥ-
ಕ್ರಮಸರ್ಕಿಗಳು ದ- ಅವರ್ಕರಕ್ಕೆ ಕ್ರಮದಾವಾಗಿ-
ಇದಿಲ್ಲ ಉಕ್ಷ್ಮಿಯಂ ಗಳಿಕೆ- ಇದಿಲ್ಲವಸ್ಥಮಿಂ
ಕಿಂ ಅಯಕ ಕ್ಷೇ ಅವರ್ಕಿಂ ಕೊಂಗ್ ಕ್ರಂಮಿಸ್ಥ
ಸವಾಂಮಾಡಿ- ಸ್ಥಕ್ಷ ಕ್ಷ ದವಳ ಮಿಕ್ಷೇ ಮಿಲುಕ್ಕಿರಿ-
ವಿಚಿಕ್ಷವಾಸ ಕಂಕಿರಂಸಿ ಯ- ಕ್ರೀಂ ಕ್ಷ ರ ಸ್ಥಂಗಿಂ

ವೃಷಭ ನಕ್ಷತ್ರಗಳು ಪ್ರಸಿದ್ಧಿಯಾಗಿರುವುದು ಹೇಗೆಂದರೆ
ಅಶ್ವಿನಿ ಮೊದಲಾದ ನಕ್ಷತ್ರಗಳು ಅಶ್ವಿನೀದೇವತೆಗಳು
ಮೊದಲಾದ ದೇವತೆಗಳು ಮೊದಲಾದವರಿಗೆ ಸಂಬಂಧಪಟ್ಟಿದ್ದು
ಪ್ರತಿಯೊಂದು ನಕ್ಷತ್ರಕ್ಕೂ ಪ್ರತ್ಯೇಕವಾಗಿ ಇದೆ. ಅ
ದರನ್ನನ್ನಾಶ್ರಮ ಅಂದರೆ — ಯಾರಿಗೆ ಎರಡೂ
ಕೈಗಳಿಲ್ಲವೋ ಅವರಿಗೆ ಆಶ್ರಮದಲ್ಲಿ ಸಲುಪಡಿಸಿ
ಕೊಡಲು ಅಂತಿ ಇಂದ ಇದೆಲ್ಲ ಪ್ರಸಿದ್ಧಿ. ಆಶ್ರಮದಲ್ಲಿ
ನನ್ನ ವಿಷಯ ಅರಿತು ಪ್ರತಿಯೊಂದು ಕೆಲಸ
ನನ್ನ ಬಳಿ ಮಾಡಿಸಿದೆ — ಅನ್ನಪದ್ಧತಿಯಲ್ಲಿ ಕೈಗಳ
ಬಂದರೆಂದು ಕಾಲು ಬರಲಿಲ್ಲವೆಂದು ಹಿಂದುಳಿಸಿ
ಕೊಳ್ಳುತ್ತಾನೆ — ಇತರ ಯಾರಿಗೆ ಹೇಳಿದ ನನ್ನ ಎರ
ಡೂ ಕೈಗಳನ್ನು ಬರಲಿಲ್ಲ ಕಾರಣ ಕೊಟ್ಟಿದ್ದರೆ
ಕೇಳಿದ ಮಂತ್ರಿಯು ಅನ್ನಪದ್ಧತಿಯಲ್ಲಿ ಇದೆ ಎಂದು ಹೇ
ಳಿದರು — ಆಕ್ರಮಣ ಕಾರ್ಯ ನಡೆಯಿತು. ಕೈಯಿಲ್ಲ
ವೆಂದು ಅಂತಿ ಬರದಿರುವುದಿಲ್ಲವೆಂದು ಇಂಸಿಕೊಂಡು
ಕೇಳಿದ ಕೊಳ್ಳುತ್ತಾನೆ — ದಯಾಳುವಾಗಿ ಇಂತಿಷ್ಟು ಸಂ
ದರ್ಶನ ನನ್ನಲ್ಲಿ ಸ್ವಲ್ಪ ಕೊಟ್ಟಿದ್ದೆ. ಆಶ್ರಮದಲ್ಲಿ ನಡೆ
ನನ್ನ ಬಾಯಿಗೆ ಅನ್ನ ಹಾಕಿ — ಪ್ರತಿಯೊಂದು ಕಾರ್ಯ
ಮಾಡಿಸಿದ ನಗಾರಿ — ನನ್ನ ಎಲ್ಲ ಕೆಲಸಗಳಿಂದ ಮಂತ್ರಿ
ಕೊಟ್ಟರು — ನನ್ನ ಕೈಗಳು ಅನ್ನಪದ್ಧತಿಯಲ್ಲಿ ಕೊಟ್ಟ ಸ್ವಲ್ಪ ವಿಷಯಗಳ

ಶಿವಪ್ಪ ಹೆಗ್ಗಡೆಯವರಿಗೆ ಕೊಟ್ಟ ಯಾದಿ - ಕಾಸರ್ಗೋಡು ಮೊದಲಾದ ಕೆಲವು ಸ್ಥಳಗಳ ಎಕ್ಕೆ ಪ್ರಾಪ್ತಿಯಾಗುವ ಅಮಲದಾರರವರ ಸ್ಟೇಟ್‌ಗಳು - ಮೇಲ್ಕಂಡ ಸ್ಥಳಗಳಿಗೆ ಹೆಚ್ಚಿನ ಪ್ರಾಮುಖ್ಯತೆ ನಿಷ್ಕರ್ಷೆ - ಈ ಸೆಲುಸ್ಥಳಗಳಲ್ಲಿ ನಾಲ್ಕು ಸಂಸ್ಥಾನವಲ್ಲದೆ - ಉಳಿದಂದ ಅನೇಕ ಮೇಲ್ಕಂಡ ಪ್ರಮುಖ ಸ್ಥಳಗಳನ್ನು ಶಿವಪ್ಪ ಹೆಗ್ಗಡೆಯವರಿಗೆ ಸಂಸ್ಥಾನಗಳಲ್ಲಿ ಅಮಲದಾರ್ ಸ್ಟೇಟ್‌ಗಳು ಇಲ್ಲದಿದ್ದರೆ ಇಷ್ಟೇ ಕೊಟ್ಟಿರುವುದರಿಂದ ಇಷ್ಟೇ ಕೊಟ್ಟಿದ್ದಾರೆ — ಒಂದೇ ಮೊಮ್ಮಗನಿಗೆ 2-3 ಹೆಂಡತಿಯರಿದ್ದರೆ ಕಾಸರ್ಗೋಡು ಮೊದಲಾದ ಸ್ಥಳಗಳ ಎಕ್ಕೆ ದಸ್ತಾನ್ ಮಾಡಿಕೊಟ್ಟಿದ್ದೆ — ಇಂಥಾ ಪಕ್ಷಿಗಳ ನಿಮಿತ್ತ ಹಿಂದೆ ಶಿವಪ್ಪ ಹೆಗ್ಗಡೆಯವರು ಸಂಪಾದಿಸಿಕೊಂಡಿರುವುದಲ್ಲದೆ - ಅಮಲಾಧಿಕಾರಿಗಳವರ ಕೂಟಾನಲಿ ಸೇರ್ಕೆಯಿ — ಇದಿಷ್ಟೂ ದಲಾಂದ ಪ್ರಾಪ್ತ ವಿಷಯಗಳು ಶಿವಪ್ಪ ಹೆಗ್ಗಡೆಯವರಿಗೆ - ಅಭಿಪ್ರಾಯಗಳು ಹೀಗಿದ್ದು ಇರುವುದರಿಂದ ಇಂಥಾ ಅನೇಕ ಪ್ರಕರಣಗಳು ಇಂಥಾ ಸಲುವಾಗಿ ಮೇಲ್ಕಂಡ ಪ್ರಮುಖ ಸ್ಥಳಗಳನ್ನು ಸಿಂಧಿಯ ಅನುಭವದಿಂದ ಇದನ್ನು ಅಭಿಮಾನಿಸ್ತೆ — ಇದರಲ್ಲಿ ಲಕ್ಷ್ಯ ಕೊಟ್ಟ ಇಲ್ಲ — . . . . . .

3 ಒಂದೊಂದು ಪೈಕಿ ರಿಕಾರ್ಡ್ ಇಲ್ಲದೆ ಇರುವುದು.

ನಗರಸಭೆ ಇತರ ಪ್ರದೇಶಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವ ಕ್ರಮ ಏನು ಇದೆ ಹಾಗೂ ಇದೆಯೆಂದಾದಲ್ಲಿ ಸರ್ಕಾರಿ ಜಮೀನು ಎಷ್ಟು ಎಷ್ಟು ಮಂಜೂರು ಮಾಡಲಾಗಿದೆ ಎಂಬ ವಿವರವೇನು? ಮತ್ತು ಈ ಪ್ರದೇಶದಲ್ಲಿ ಹಿಂದಿನ ಸರ್ಕಾರದ ಆದೇಶದಂತೆ ಯಾವ ವಿದ್ಯಾಸಂಸ್ಥೆಗಳು ಕಡಮೆ ದರದಲ್ಲಿ ಸ್ಥಳ ಮಂಜೂರು ಮಾಡಲಾಗಿದೆ ಎಂಬ ವಿವರ ಒದಗಿಸಿರುತ್ತಾರೆ.

4 ಇದೇ ಪ್ರಶ್ನೆಯನ್ನು ಕೇಳಿದಂತೆ ಡಿಕ್ರಿ ಅಮಲಾದ ನಿಮಿಷ ಅಂತರ್ಜಲ ಕುಸಿತ ಕಂಡಿದ್ದರಿಂದ ಕೆಲವು ಕಡೆಗಳಲ್ಲಿ ಕುಡಿಯುವ ನೀರಿನ ಸಮಸ್ಯೆ ಉಂಟಾಗಿದೆ ಎಂಬ ಇತರ ಪ್ರಶ್ನೆ ಕೇಳಿದೆ. ಅದಕ್ಕೆ ಉತ್ತರವಾಗಿದೆ. ಇಂತಹ ಅನೇಕ ಪ್ರಕರಣಗಳು ಡಿಕ್ರಿ ಅಮಲು ದಾಖಲಾಗಿರುವುದು ಯಾವುದೂ ಬರುವುದಿಲ್ಲ. ಅಮಲುದಾರಿಗೆ ಅಧಿಕಾರಿಗಳು ನೀರನ್ನು ಸರಬರಾಜು ಮಾಡಿ ಅನುಕೂಲ. ಇತರ ಪ್ರದೇಶಗಳಲ್ಲಿ ಡಿಕ್ರಿ ಅಮಲು ಆಗಿರುವುದು ಕಂಡುಬಂದಲ್ಲಿ ಅಧಿಕಾರಿಗಳು ಕ್ರಮ ಕೈಗೊಳ್ಳುವರು.

5 ಅಮಲುದಾರರು ಇಂತಹ ಪ್ರಕರಣಗಳು

ಕ್ರಮವನ್ನು ಹೇಳಿದಾಗ ನಮ್ಮನ್ನು ಹಿಡಿದು ಕೊಟ್ಟರೆಂಬ್ಲ-
ಹೇಳಿದಾಗ ಚಿತ್ರಗಾರರಂದರಂದ ಎಂದು ಸಂಕೇತಗಳು
ಸ್ವಸ್ಥಿತಿಯಲ್ಲಿ ಆಸ್ತಿದ ವಿಷಯ ಎಂಬ್ಲ- ಆದರಿಂದ ಅಂಚ್ಚಿ
ಚಿತ್ರಿ ಅಮೂಲ್ಯ ಅನಗಳನ್ನು ಅಮೂಲ್ಯದಾಗಿ ನಿಕ್ಷೇಪ
ಇಟ್ಟುಕೊಂಡಿದೆಯ್ಲ- ಹೀಗೆ ಚಿತ್ರಗಾರ ಕ್ರೀಯವರ ಆಸ್ತಿಯನ್ನು
ಯಾರು ಸ್ವಾಧೀನ ಮಾಡಿಕೊಳ್ಳುತ್ತಾರೆ ಅವರು ಹೇಳಿದ ದಾಖಲೆಗಳು
ಚಿತ್ರಗಾರರು ಆದಾಗ್ಯೂ ಕಿಂಚಿತ್ತು ತಿಮಿಗಳನ್ನು
ಮತ್ತು ಸ್ವಲ್ಪ ವಿದ್ಯುಮಾನಗಳನ್ನು ಮಂತ್ರಿಗಳಿಗೆ ದೊರ
ಕಾದರಿಂದ- ಕೇವಲ ಅಮಾನತಿಗಿಂತಲೂ ಉತ್ತಮ
ಗಾಗಿ ಕೆಲವರನ್ನು ನಂಬಿಸುವದರಲ್ಲಿ ಸಂಶಯವಿಲ್ಲ-
ಒಂದು ವೇಳೆ ಚಿತ್ರಗಾರರ ಸಂಪರ್ಕಮಾಡಿಕೊಂ
ಡದಿಂದ ಕೀರ್ತಿಯನ್ನು ಪಡೆಯಲು- ಸ್ವೀಕರಿಸಿದ ಚಿತ್ರ
ಕ್ಕೆ ಬಂದಂಥ ಅಮೂಲ್ಯಗಳು - ಅವರ ಕೈಯಲ್ಲಿ
ಇರುವ ಕಾರಣದಿಂದ - ಇವರಿಗೆ ಕೊಟ್ಟ- ಯಾ
ರಾದರೂ ಆ ಸಭೆ- ಅಲ್ಲಿ ಇರುವ ಸ್ವಲ್ಪ ದಕ್ಷಿಣೆಂಥ
ಮುದ್ರೆ ಮಾಡಿಸಬೇಕು- ವಿದ್ಯಾಯ ಕಮಾಂಡಿ ಸ್ವಲ್ಪ
ರಸಲುಂಗಿ ಕಡಮೆ ಆಗುವದಿಂದ ನಾನು ವಿನಯ
ವಾಗಿ ಅರಿಕೆಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ-

6 ಇದು ಅಲ್ಲದೆ ನಾನು ಅರಿಕೆಮಾಡುವ ವಿ
ಷಯವೆಂದರೆ ಕಳ್ಳನಾಗಿ ಇಂಥ ಅಂದ ಸ್ಥಿ

೨) ಪ್ರಾಣಿಯ ಕೈಕಾಲು ಮೊದಲಾದ ಅಂಗಗಳು ಕೆಲಸ ಮಾಡದಿದ್ದಲ್ಲಿ ಅಂಗವಿಕಲರೆಂದು ಕರೆಯಲ್ಪಡುವರು. ಇವರಿಗೆ ಸಂಸ್ಕೃತಿಯಿಲ್ಲವೆಂದು ತಿಳಿದು ಅವರನ್ನು ಕೆಲವು ಕಡೆ ಕೊಲೆಮಾಡುವುದು - ಇಂಥಹ ಸಂದರ್ಭದಲ್ಲಿ ಮಾನವತ್ವವನ್ನು ಸಿದ್ಧಾಂತವು ಅಲ್ಪಸಂಖ್ಯಾತರ ಹಕ್ಕುಗಳನ್ನು ಕಾಪಾಡಿ ಅವರಿಗೆ ಸಮಾನ ಅವಕಾಶಗಳನ್ನು ಕಲ್ಪಿಸಿ ಅವರ ಅಭಿವೃದ್ಧಿಗೆ ಸಹಕರಿಸುವುದು - ಸಮಾಜದಲ್ಲಿ ಹಿಂದುಳಿದ ಜನರ ಹಿತಾಸಕ್ತಿಯನ್ನು ಕಾಪಾಡಿ ಅವರ ಅಭಿವೃದ್ಧಿಗೆ ಸಹಕರಿಸುವುದು - ಕೆಲವು ಗಂಡಸರು ಹೆಂಗಸರನ್ನು ಕೆಲವು ಸಂದರ್ಭದಲ್ಲಿ ಅಸಡ್ಡೆಯಿಂದ ಕಾಣುವುದು ಸರಿಯಲ್ಲ ಎಂಬ ಸಂದೇಶವನ್ನು ಸಾರುತ್ತದೆ -

೭) ಆದರೆ ಕೆಲವು ಕಡೆ ಕೆಲಸಕ್ಕೆ ಸೇರಿದ ಸ್ತ್ರೀಯರನ್ನು ಅಧಿಕಾರಸ್ಥರು ಕೆಲವು ಕಡೆ ಲೈಂಗಿಕ ಕಿರುಕುಳಕ್ಕೆ ಒಳಪಡಿಸುವುದು ಸಾಮಾನ್ಯವಾಗಿದೆ - ಈ ಸಂದರ್ಭದಲ್ಲಿ ಕೆಲವು ಕಡೆ ಪ್ರಾಣಕ್ಕೆ ಅಪಾಯ ಉಂಟಾಗುವುದು - ಕೆಲವು ಕಡೆ ಲೈಂಗಿಕ ಕಿರುಕುಳ ಉಂಟಾಗುವುದಿಲ್ಲ - ಅಮೆರಿಕಾದಲ್ಲಿ ಸುಮಾರು 10% ಕ್ಕೆ ಹೆಚ್ಚು ಪ್ರಾಣಕ್ಕೆ ಹಾನಿಯಾಗುವ ಸಂದರ್ಭವಿದೆ - ಗ್ರಾಮೀಣ ಪ್ರದೇಶದಲ್ಲಿ ಕೆಲವು ಕಡೆ ಇಲ್ಲದಿದ್ದರೂ ಸಂಖ್ಯೆ ಗಮನಾರ್ಹವಾಗಿದೆ - ವಿದ್ಯಾಭ್ಯಾಸದಲ್ಲಿ ಹೆಚ್ಚಿನ ಸವಲತ್ತು ಕಲ್ಪಿಸಲಾಗಿದ್ದರೂ ಅಂತಹವರಿಗೆ ಸಂಬಳ ಕೊಡುವುದಿಲ್ಲ ಇಂತಹ ಪ್ರಾಣಾಪಾಯದ ಸಮಸ್ಯೆ -

ಪ್ರಮಾಣಪತ್ರ ಮಂಜೂರು ಮಾಡಿದೆ ಎಂದು ಹೇಳಿದ್ದು. ಯಾವ ಆಧಾರದ ಮೇಲೆ ಮಂಜೂರು ಮಾಡಿದ್ದೀರಿ ಎಂದು ಇದರಲ್ಲಿ ಸ್ಪಷ್ಟಪಡಿಸಿಲ್ಲ. ಅಭ್ಯರ್ಥಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗೆ ಸೇರಿದವನು ಎಂದು ಹೇಳಿದ್ದು ಇದಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಯಾವ ಆಧಾರದ ಮೇಲೆ ಪ್ರಮಾಣಪತ್ರ ನೀಡಿದ್ದೀರಿ ಎಂಬುದನ್ನು ಸ್ಪಷ್ಟಪಡಿಸಿಲ್ಲ. ಅಲ್ಲದೆ ಅಭ್ಯರ್ಥಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗೆ ಸೇರಿದವನು ಎಂದು ಹೇಳಿದ್ದು ಇದಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆಗಳನ್ನು ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ. ಇದರಿಂದ ಅಭ್ಯರ್ಥಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗೆ ಸೇರಿದವನು ಎಂದು ಹೇಳಿ ಪ್ರಮಾಣಪತ್ರ ಮಂಜೂರು ಮಾಡಿದ್ದೀರಿ ಎಂದು ಇದರಲ್ಲಿ ಸ್ಪಷ್ಟಪಡಿಸಿಲ್ಲ. ಇದರಿಂದ ಅಭ್ಯರ್ಥಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗೆ ಸೇರಿದವನು ಎಂದು ಹೇಳಿ ಪ್ರಮಾಣಪತ್ರ ಮಂಜೂರು ಮಾಡಿದ್ದೀರಿ ಎಂದು ಇದರಲ್ಲಿ ಸ್ಪಷ್ಟಪಡಿಸಿಲ್ಲ. ಇದರಿಂದ ಅಭ್ಯರ್ಥಿಯು ಪರಿಶಿಷ್ಟ ಜಾತಿಗೆ ಸೇರಿದವನು ಎಂದು ಹೇಳಿ ಪ್ರಮಾಣಪತ್ರ ಮಂಜೂರು ಮಾಡಿದ್ದೀರಿ

8 ಈ ಪ್ರಕರಣದಲ್ಲಿ ಸಿ.ಆರ್.ಪಿ.ಸಿ. ಸೆಕ್ಷನ್ 164 ರಡಿ ದಾಖಲಿಸಿದ ಹೇಳಿಕೆಗಳನ್ನು ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ. ಅಭ್ಯರ್ಥಿಯು ಸಿ.ಆರ್.ಪಿ.ಸಿ. ಸೆಕ್ಷನ್ 320 ರಡಿ ಸೆಕ್ಷನ್ ಎ ಮತ್ತು ಸೆಕ್ಷನ್ 327 ರಡಿ ಸೆಕ್ಷನ್ ಎ ಪ್ರಕಾರ ಕ್ರಿಮಿನಲ್ ಅಪರಾಧಗಳನ್ನು ಸಂಧಾನ ಮಾಡಿಕೊಳ್ಳಲು ಅವಕಾಶವಿರುವುದರಿಂದ ಸಂಧಾನ ಮಾಡಿಕೊಳ್ಳಲು ಅವಕಾಶ ಕೊಟ್ಟಿದ್ದೇವೆ ಎಂದು ಹೇಳಿ ಅಭ್ಯರ್ಥಿಯು ಸಲ್ಲಿಸಿದ ಅರ್ಜಿ ಸ್ವೀಕರಿಸಿ ಆದೇಶ ಮಾಡಿದ್ದೇವೆ. ಇದರಲ್ಲಿ ಸ್ಪಷ್ಟ

4

ಶ್ರೀ ಸೈಯದ್ ಹೈದ್ರೂಸ್ ಅಲಿ

330 ಸಿಸಿ
297

ಅಂಚೆ ಅಲಿಯವರು ಕೆಲಸ ಕೆಲಸ ಮಾಡುವ ಸಮಯದಲ್ಲಿ ಮೇಲಿನ ವಿಳಾಸದಲ್ಲಿ ವಾಸವಿದ್ದು ಅಲ್ಲಿಂದ ಸುಮಾರು ಕಿ.ಮೀ. ದೂರದಲ್ಲಿ ಇನ್ನೊಂದು ಅಂಗಡಿ ಮೇಲೆ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದು ಸದರಿ ಎರಡೂ ಕೆಲಸಗಳು ಒಂದರಿಂದ ಮತ್ತೊಂದಕ್ಕೆ ಸಂಬಂಧವಿಲ್ಲದ್ದು ಅಂತ ಕೇಳಿಕೊಂಡಿದ್ದು ಸದರಿ ಅರ್ಜಿ ದಿನಾಂಕ 5-6-2004 ರಂದು ಸ್ವೀಕರಿಸಿದೆ.

ಕಡತ ಸಂಖ್ಯೆ ಪಿ 10546
8/6/2004
ಮುಂದಿನ ಕ್ರಮ

Chairman

No 221/181 464 Gundlupet

From

The Amildar

Gundlupet Taluk

To

The Deputy Commissioner

Mysore District

Mysore

Dated,

Dispatched

Received

No

Sir,

With reference to memo No 330 of the 18th instant asking me my opinion as to the conduct of sales of immoveable property on decrees of Civil Courts by Revenue officers I beg to submit as follows.

I have many reasons to go with the opinion of the Honble the Chief judge of Mysore: Sales conducted by Revenue officers of the righ

title & interest of defaulters of
Excise, Forest & District Funds
Revenue have been in not-
in few cases failures forward
of bidders. However unlike
these sales there is always
the help of the decree holders,
when the right, title & interest
is sold in execution of decrees.
But there cannot be expected
that regularity in the sales
held by Revenue officers
as may be present in those
held by officers of Civil Courts.
There are lot of reasonable
occasions for which the
most conscientious
Sheikdar cannot but ask
for fresh dates or fresh
notifications for sale.
The Sheikdars have often
reported that they were
busy at the Bungalow
or at the Sheikdar Camp
& such like reasonable
excuses. These are enough

to make sales under decrees of Courts fall into the same irregular fashion as the sales of lands applied for cultivation or of lands sold for arrears of Revenue. Such adjournments may not affect ~~Govt~~ government interests but in the case of private persons it is different. But the great majority of Shirkdars are least conscientious of their duty. They often forged the appointed day of sale & either by antedating a foredating by to show whirely that there has been no irregularity. Hence it means that the bona fides of every sale will have to be gone into & this will entail endless enquiry either by the Amildar or by the Civil Court to whomsoever the duty

may be entrusted. I have presumed that the sale is to be conducted either at the place where the lands are situate or in the village within which it is so. If sales are to be held before the Taluk office it may as well be done before the Civil Court. For any way the bid will have to be expected from the exertion of the parties & either place will not make much difference. But of the two places the Civil Court is the better one for preserving regularity in a greater degree.

There is another danger in entrusting this work to the Shikdars. These class of men are known to the Villagers & they are apt to identify themselves with any faction or

66 ~~68~~ compact that may be in the Villages. But the case of an Amine has less scope to commit the same influence as Shirkdars.

As for the loss which is said to occur to the government debtor if the sale is held by Court officers, it is the judgement debtors own fault, if he remains passive without exerting to get bidders.

23/0394

Recd 4.6.04 Sett SNZ

I have the honor to be
Sir
Your most obdt & humble
Servant
[illegible]
Amildar

Reg. No. 2587/25584

67 ~~49~~ Finance

From,

The Amildar

Hunsur Taluk.

To.

The Deputy Commissioner

Mysore District

Mysore.

Dated 20. 5. 1904.

No: 197

With reference to your No: 330 dated 18th Instant, I beg to state that I can expect no improvement if the sales are ordered to be conducted by Revenue officers. Sales of immoveable property in the Court-house

at

at a distance as is generally done where no body knows its value and where no body care for it is generally injurious to the judgment-debtors.

In my humble opinion I think that the better results may be anticipated if the sales are conducted on the spot leaving the aggrieved parties to move the court to set a side the sale on the ground of fraud or irregularity under section 311 of Civil Pro: Code.

I beg to remain sir

Your most obedient servant

Kanthi rao

Ambedar

25-5-04
5.00 p.
or
of Pr
26/5/04

Hegg. Note 50.
69 236136

URGENT.

Memo no. 330
C 342
Copy forwarded to the Amildar of the Heggaddevankote Taluk for information

The undersigned would be glad to be furnished with his opinion within a fortnight at the latest.

Chandramoolu

Mysore
18-5-04

Deputy Commr
Mysore District

Reg. No. 2506
25-5-04

No 296

Submitted.

25-4-04
Mr. Collector
Sales, hand concluded in every case, before the Taluk Office. If there be any irregularity in the sale it will be brought there and there to the notice of the Amildar or the Sheristedar who always remains at Head quarters. The Chief complaint seems to be that notices of sales are not properly published. To avoid this I beg to submit that a process-server may be appointed in each Taluk who

26/5/04

20.5.1904

Dasara Branch

General Subject No: 57
D-R-A-1903.

By conducting sales of immoveable property of decree of civil courts through their Amceens, defendants (judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of civil courts may be ordered to be conducted by Revenue officers.

The opinion of the chief judge is:—
"Most of the sales by auction are made in the court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue officers" which in most cases means to "Shekdars."

1904

From
L. Anantaswami Rao Esq: B.A.
offg Secy: to the Govt of
H.H. the Maharaja of Mysore
Genl & Rev Departments

To
The Revenue Commr in Mysore

Dated 5th April 1904
Despatched
Received
General No. 2184
No. 9
Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favour the Govt with his views on the question.

By order.
(Sd) K. S. Chendrasekhara Iyer.
For offg: Secy:

C. memo 7113-20 & 12.5.04
Copy forwarded to the Deputy Commissioner of Mysore district with a request that he will be so good as to favour the Revenue Commissioner with his opinion and those of selected Assistant Commissioners and Amildars under him.

(Sd) K. Chandy
For Revenue Commr

being a local man would have no difficulty in serving such notices of sales on the proper parties. —

23.5.1904.

M. Murray
Amildo
Neyyadunankotta.

Yedatore

71 52 ಎಲ್ 14539

URGENT.

Memo No: 330/367

Copy forwarded to the Amildar of the Yedatore Taluk for information

The undersigned would be glad to be furnished with his opinion within a fortnight at the latest

Deputy Commissioner
Mysore District

Mysore
18.5.04

ಕ್ರಮ 213/2002

ಕ್ರಮ ಸಂಖ್ಯೆ ಎಲ್ 14539 ರಲ್ಲಿ ಸ್ವೀಕರಿಸಿದ ಮೈಸೂರು ಜಿಲ್ಲೆಯ ಎದತೊರೆ ತಾಲ್ಲೂಕಿನ ಅಮಲ್ದಾರರವರ ಜ್ಞಾಪನ ಪತ್ರದ ವಿಷಯದಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟ ಕಡತಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಂತೆ ಸದರಿ ಕಡತಗಳಲ್ಲಿ ಕೃಷ್ಣರಾವ್ ಎಂಬವರು ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿರುವ ಅಂಶಗಳು ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ ಕಂದಾಯ 10/22 ರಲ್ಲಿ ಸ್ಪಷ್ಟಪಡಿಸಿದಂತೆ ಸರ್ಕಾರಿ ಜಮೀನಿನ ಮಂಜೂರಾತಿ ಕೋರಿ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಯಾಗಿರುವುದರಿಂದ ಸದರಿ ಅರ್ಜಿಯನ್ನು ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ ಕಂದಾಯ 10/22 ರಲ್ಲಿ ಸ್ಪಷ್ಟಪಡಿಸಿದಂತೆ ಪರಿಶೀಲಿಸಿ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿಗಳಿಗೆ ಕಳುಹಿಸಿಕೊಡಲಾಗಿದೆ.

ಕ್ರಮ 22/5/04 Krishna Rao

ಕ್ರಮ 2/6/04

ಕ್ರಮ 26.5.04

ಕ್ರಮ 10/22

From

L. ANANTASWAMI RAO, ESQ., B.A.,
Offg. Secy., to the Govt. of H. H. the Maharaja of Mysore, Genl. and Rev. Depts.

To

The Revenue Commissioner, in Mysore.

Dated 15th April 1904.

Despatched

Received

General No. 2184.
No J.

Enclosure No.

Has the honor to request that the Revenue Commissioner will be so good as to investigate and favor the Government with his views on the question.

By order,
(Sd.) K. S. CHANDRASEKHARA IYER,
For Offg. Secretary.

General Subject No. 57 of D. R. A. 1903.

By conducting sales of immoveable property of decree of Civil Courts through their Ameens, defendants (Judgment debtors) are subjected to heavy loss and deception. It is therefore solicited that such sales of Civil Courts may be ordered to be conducted by Revenue officers.

The opinion of the Chief Judge is:—"Most of the sales by auction are made in the court-house or near it. If there is any fraud or irregularity, it may be then and there brought to the notice of the judge. There appears no good reason to entrust the duty to "Revenue Officers" which in most cases means to "Shekdars."

C MEMO. 7113-20 & 12/5/04

Copy forwarded to the Deputy Commissioner of ....Mysore.... District with a request that he will be so good as to favor the Revenue Commissioner with his opinion and those of selected Assistant Commissioners and Amildars under him.

(Sd) K. Chandy
for Revenue Commissioner.

Reg. No. 7684
8.6.04

~~53~~ 72 Mysore

Mysore Taluk Cutcherry

31st May 1904.

Reg. No. 924
F No. 1042

To,

The Deputy Commissioner
Mysore District.

Through the Treasury Assistant Commr
Mysore District

7-6-04
8 m
8/6/04
M

Sir,

With reference to official Memo No 330/7579 of the 18th instant in re- Civil Court Sales to be conducted by or through Revenue Officers I beg to report as follows:-

2. Sales under the Revenue Law are defined in Chapter XI sections 160 to 191 of the Land Revenue Code, and the rules framed thereunder specify the estimated value of moveable or immoveable property, the sales of which can be conducted from Deputy Commissioner down to Shirkdar

3. Revenue Officers at present conduct sales of moveable and immoveable properties for arrears under Land Revenue Dues, Abkari, Excise, Forest and other regulations. In certain cases the absolute right of land occupancy is sold while in others the right, title and interest are sold. So Revenue Officers

as a rule, are better acquainted with the method of conducting sales than Civil Court officials. In conducting sales great precaution is needed, to safe guard the interests of parties from official negligence or private malice. The Revenue officials by their local knowledge and touch with people are expected to conduct sales better than the Civil Court Amins. —

4 — Even on the Criminal side sales of immoveable properties are entrusted to the Revenue authorities and the Civil Courts alone conduct sales of properties themselves. In Revenue sales or sales conducted by Revenue officers, on the spot, the minor Revenue officials both of Taluk and village, are expected to be present with them and render their faithful service and utmost help and fraud and collusion among them can only be in the minority, while in those conducted by Civil Court officials, the minor revenue officials can take sides and see that valuable properties are knocked down to nominal sums etc. In short it is very necessary that the sale conducting officer should be well acquainted with the conduct and character of men who assemble at the time of sales as well as the market value of the property he is about to sell.

It can be safely said that such study of conduct of local men by civil court officials is not possible as they cannot be in touch with them as the Revenue officials are. Thus it may be seen that Shikdars are ~~taking~~ for better class of officials than the Amins of civil courts in this respect. The Shikdari service is likely to be improved over the present standard and the work that may be turned out by them may hereafter be far more reliable.

5 – The under taking of civil court sales of immoveable property will entail very heavy work on the already overworked Revenue officials, and by this work is entrusted to them, additional establishment will have to be employed and that question should be settled before effect is given to this change of procedure.

I beg to remain
Sir,
Your most obedt. servant

[illegible]
[illegible]

No. 108

Forwarded.

[illegible]

75

~~56~~

THE OFFICE OF THE REVENUE COMMISSIONER
No. 587
1904 - 03 JUL. 04
BANGALORE.
MYSORE

FROM P. R. Nethera Esquire
Deputy Commissioner
Hassan District

To T. Ananda Rao Esquire B.A.
Revenue Commissioner in Mysore
Bangalore.

Dated 18th July '04.

Despatched 20th

Received

General No. 11

No. R

Enclosure No. 5

Submitting the Deputy Commissioner's opinion and the opinions of selected Assistant Commissioners and Amildars in the Hassan District in the matter of conducting sales of immoveable property under decrees of Civil Courts.

Have all the reports been received

21. Jul 04

*: 1. Docket No. 291 Dated 12/13-6-04 from Mr. K. Hanumantha Rao, Special Assistant Commissioner.
2. Letter No. 81 Dt. 15/17-6-04 - Do. Mr. B. Ramaswamiya B.A.B.L. Pleaders - Do.
3. Kanarese Report No. 551/525 Dated 31-5-04 from Mr. Lakshmiah Sarkari Amildar of Hassan.
4. ---- Do - 797/846 ---- 27-5-04 - - Mr. H. R. Narasaraju - ---- - Note to be written (Receiving Otherwise The Special Assistant Commissioner.)
5. Enclosing memo C.T./1 Dated 25-6-04 from Mr. B.T. Sreenivasa Ayyangar A.P. Amildar of Arkalgud (Receiving Otherwise Presently Assistant Commissioner.)

7/8

Deputy Commissioner's Office
Hassan District
Dated Hassan 18th July 1904

From

P. R. W. Wetherall Esquire
Deputy Commissioner
Hassan District

To

T. Ananda Rao Esquire B.A.
Revenue Commissioner
in Mysore
Bangalore.

Sir,

With reference to your Circular No. 7113-20 dated 12th May 1904, requesting my opinion and those of selected Assistant Commissioners and Amildars of this District in the matter of sales of immoveable property under Decrees of Civil Courts, I have the honor to forward herewith copies of communications noted in the margin* received from the two Assistant Commissioners and three Amildars whom I have consulted on the subject.

subject. It will be seen that both the Assistant Commissioners agree in stating as their opinion that it will not be desirable to entrust this duty to the Revenue Officers, who would as generally be Shekdars.

2 - The grounds upon which they have arrived at such conclusion may be briefly stated as follows:—

(i) Fraud and deception are equally likely to be committed by subordinate Revenue Officers as by Amins of Civil Courts.

(ii) While in the case of sales in or near the Court house any fraud or irregularity on the part of selling Officers can be at once brought to the notice of the presiding Judge, no such advantage would exist if the proposed change be effected

(iii) In such cases the party interested is the Judgment-debtor and he would be careful to see that the sale of his property is effected

to

to his best advantage whoever may be the Officer conducting the sale.

(iv) What is chiefly necessary to safeguard is due publicity in the village where the property is situate, and in the surrounding villages, as well as at the Court house, which is the most important procedure connected with such sales.

(v) The proposed change will throw upon the Revenue Officers a good deal of additional work which will be detrimental to their own legitimate and multifarious duties.

3 - I have carefully considered the subject and I concur fully in these views. At the same time I think that the suggestion of Mr. K. Mathan, Assistant Commissioner is well worthy of consideration, viz. that in very exceptional cases where the property to be sold is very valuable it may be desirable to provide for Amildars (but no Revenue Officer subordinate to him) being

being authorised to conduct such sales on the spot where the property is situated.

4- Among the Amildars consulted, the Hassan Amildar (Mr. M. Lakshmana Sastry) is not in favour of the change for the reason that it will add to the already heavy duties of Shekdars, while the Amildar of Holenarasipur (Mr. H.R. Srenivasadas) and the Acting Amildar of Arkalgud (Mr. B.J. Seetharamiya) are of opinion that the Shekdars who have now better status may be entrusted with the duty as it is desirable that the sales should be conducted on the spot where the property is situated. But I do not concur in the opinions expressed by the two latter for reasons already stated above.

I have the honor to be
Sir,
Your most obedient Servant

W.H. Wetherall
Deputy Commissioner
Hassan District

Copy of memo submitted by the Ag: Amildar of Arkalgud (Tal-B? Hirisavaje) Camp No: 7.

The chief judge has been pleased to say that most of the sales by auction are made in the court-house or near-it, and that if there is any fraud or irregularity it may be then & there brought to the notice of the judge. In this connection I beg to submit that it would be highly advantageous to the judgment-debtor that the immovable property is ordinarily sold on the spot where it is situated, for the bidders will be in a position to understand the peculiar-position of the land, the nature of the soil and the facilities of cultivation. All these circumstances when brought to the notice of the bidders on the spot enhance the value of the land which

"which is undoubtedly in the interest of the judgment-debtor. If it is in the interest of the judgment debtor that the property should be sold in places other than the spot, the same may be done, due notice of the time and place of sale being given in the notice. As regards the agency to be employed in conducting sales of immovable property I beg to submit the following points for consideration: Under Section 265 of the Civil Procedure Code that if the decree be for the partition or separate possession of a share of an undivided estate paying revenue to Government, the partition of the estate or the separation of the share shall be made by the Deputy Commissioner and according to the law, if any, for the time being in force for the partition, or the separate possession of shares of such estates. Under

this section, the Deputy Commissioner, as observed by Justices West and Birdwood in Gopal Savant vs Vasudeva Vittal Savant (I.L.R 12 Bombay 371) has a certain discretion allowed to him and a civil court has no right to replace his discretion by its own and so long as he acts in good faith, and in accordance with law his proceedings cannot be interfered with. This ruling of the Bombay High Court has been followed by the Honourable Chief Court of Mysore in Ranjundaya vs Some Gowda and others of Hobsale Manjarabad Taluq in Misc appeal no: 18 of 1896-97. Such cases are being sent by to the Deputy Commissioner to the Court and the amildar is being directed by the Deputy Commissioner to execute the decree. Moreover provision has been made in Section 320 of the Civil Procedure Code as amended by

Regulation

"Regulation VII of 1892 for Government to prescribe rules for transferring to Deputy Commissioner execution of certain decrees - and in cases where - such decrees are transferred to the Deputy Commissioner the further procedure is laid down in Sections 321 to 325 of the civil Procedure Code. The Deputy Commissioner - therefore ordinarily directs the - Amildars to execute the decree un- - less it is of such importance as to be reserved by him.

When such powers as enumerated above are vested in the Deputy Com- - missioner and in consequence in his gazetted Subordinate, the Amildar as contemplated in the amendment to Section 320 of the civil Procedure Code (Section 29 of Regulation VII of 1892), you will be pleased to observe That the Sales of immovable property under the decrees of civil courts -

may

may be entrusted to Revenue officers. As to which class of Revenue officers can be entrusted with the sale of such immovable property I beg to suggest that when the estimated value of the property does not exceed Rs 100/- the Sale may be entrusted to the Hobli Sheikdar and where such value exceeds Rs 100/- the Sale shall be conducted by the Amildar or such other officer as may be specially empowered in that behalf by the Deputy Commissioner. When the value of the property exceeds Rs 1000/-, the Sale shall be conducted by the Deputy Commissioner or one of his Assistant Commissioners. This is the rule prevailing regarding Sales of property relating arrears of Revenue (Rule 98 of the Mysore Land Revenue Rules in force from 1st September 1901). In this connection it may not be out of

place

place for me to submit that the status of a shekdar has been recently raised under the orders of Government to be brought to effect from 1st July 1904. The pay of a first grade shekdar thereunder is nearly double that of an Ameen who sells property under the orders of the civil court.

For the foregoing reasons I humbly beg to submit that the sales of immoveable property under decrees of civil courts may be entrusted to Revenue officers subjected to the conditions stated above."

25.6.04 Sd/. B.J. Seetaramaiya
Ramanathpur Ag: Amildar
Arkalgud.

Forwarded
(Sd) B. Ramaswamy
Asst. Comr.
25/6/04.

Copy

M. W. Wetherall

Deputy-Commr
Hassan Dist

[illegible]

ಮಿ ತಿಪ್ಪಿ ದೇವರು 797.

[illegible] ಸಾಕ್ಷಿದಾರರು ಹೇಳಿದ್ದು - ಕೈಲ್ಯ [illegible] ಅಕ್ಕಿ ಕೆಲಸ ಮಾಡುತ್ತಾರೆ. ಅಂದ್ರೆ ಕೈಲ್ಯದವರು [illegible] 10 - 20 - 30 - 40 ಕೆಲಸ [illegible] ಕೆಲಸ ಮಾಡಿದ್ದಾರೆ. ಆ ಕೆಲಸ ಮಾಡಿದವರು ಅಂದ್ರೆ ಅವರು ಕೆಲಸ ಮಾಡಿದ್ದಾರೆ. ಅವರು ಕೆಲಸ ಮಾಡಿದ್ದಕ್ಕೆ [illegible] ಅಂದ್ರೆ ಅವರು ಕೆಲಸ ಮಾಡಿದ್ದಾರೆ. ಅವರು ಕೆಲಸ ಮಾಡಿದ್ದಕ್ಕೆ [illegible] ಅಂದ್ರೆ ಅವರು ಕೆಲಸ ಮಾಡಿದ್ದಾರೆ. ಸಾಂಪ್ರದಾಯಿಕವಾಗಿ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆ - ಅವರು ಸಂಬಳದ ಬಾಕಿ ಕೊಟ್ಟಿರುವುದು ಸಂಬಳ ಬಾಕಿ ಕೊಟ್ಟಿರುವುದು (50) [illegible] ಮಾಡಿದ ಕೆಲಸಕ್ಕೆ ಕೊಟ್ಟಿದ್ದಾರೆ. ಆ ಕೆಲಸ

87

ಸಂಬಂಧಪಟ್ಟವರಿಗೆ ಅರಿವು (ಕ್ರಿಯಾಶೀಲ) ಕೈಗೊಳ್ಳಲು ಸೂಕ್ತ (Status)

ಕಾಲಕ್ಕೆ ಇಲಾಖೆಗೆ ಮಾಹಿತಿ ಬರೆಯಲು- ಇತಿ ಸ್ವ

ದಿನಾಂಕ 27-5-04.

ಆಯುಕ್ತರು

"Copy" M K Welherall

Deputy Commissioner

Hassan District

[illegible] 55/ [illegible]

[illegible] - [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

31-5-04.

(Signed). M. Lakshmanasastry

"Copy" M. H. Wetherall

Deputy Commissioner
Hassan Dist

63 89

no - 81
Despatched 17.6.04.

Treasury assistant Commissioner's
office Hassan District.

Dated Camp Arkalgud, 15th June 1904

From B. Ramaswamaiya Esqr. B.A. B.L
Treasury Assistant Commissioner
Hassan District.

To P. R. W. Wetherall Esqr.
Offg: Deputy Commissioner
Hassan District.

Sir,

With reference to your memo no: 2406-7/mis dated 19th May 1904, — calling for my opinion in the matter of sales of immovable property under decrees of civil courts, I have the — honour to report as follows:—

The practice now in vogue is for such sales to be conducted — through the Court officers. It is — represented that judgment debtors whose properties are brought to sale are subjected to loss and deception

by

by this means, and it is therefore sug-
-gested that the sales may be ordered
to be conducted by Revenue officers.

2. Now it does not appear clear
how the interest of the judgment-debtors
will be better served by this proposed
change. All that is essential to —
secure a proper sale untainted —
with fraud is to see that notice
of such sale is duly published
in the village where the property
is situate and in the surrounding
villages as well as in the Court
House. Sales as observed, are —
generally conducted in the precincts
of the Court and the judgment-
— debtors or their representatives who
are interested in the proceedings —
being present, should there be any
fraud, it is easily possible for them
to represent the matter at once to the
notice of the judge, who is the authority
confirming the sale.

3. On the other hand, delegating the duty of conducting such sales to Revenue officers appears to involve needless multiplication of work without any corresponding usefulness or improvement. Generally the shekdars will have to be entrusted with the work and it is not apparent what guarantee exists in this case for untainted proceedings. It is presumed that the confirming authority will still be the civil Court and the departments concerned, Revenue and judicial, being different much formal correspondence is entailed. But all the same, it is not clear what additional safe guard against fraud there is in the proposed change of officers conducting the sale.

4. While it is invariably the duty as well as the interest of the judgment-debtors to see that the sales of their immoveable property are properly

properly effected to their advantage and without fraud, it cannot be held or even expected that the authorities conducting the sales, whoever they may be, will exercise the same vi-
-gilance to prevent loss or deception. As long as the parties guard their own interests it cannot matter how or ~~when~~ by whom the sales are con-
-ducted; while, should they neglect their interests, it does not appear how the proposed alteration in the sale conducting officers can better their position. Due publicity in or about the villages concerned so as to secure the attendance of all likely bidders and the actual conduct of sales in the villages themselves in cases where this is considered necessary are—measures calculated to safeguard the interest of the parties concerned. By this means alone can the grievance complained of be materially lessened

5 For these reasons, it appears to me that there is no need for the change contemplated with regard to the subject in question.

I have the honour to be,
Sir,
Your most obedient servant
sd/- B. Ramaswamaiya
Assistant Commissioner
Hassan District

"copy"

M Wellherall

Deputy Commissioner
Hassan District.

From,

K. Mathan Esquire B.A.
General Assistant Commr.
Nassau District

To,

P. R. W. Wetherall Esquire
Deputy Commissioner
Nassau District

Dated 12th/13th June 1904.

No: 291.

His Memo No: 2406/mis dated 19th May 1904, calling for opinion in the matter of entrusting the sales of immoveable property under the decrees of Civil Courts to Revenue Officers

With reference to the above has the honour to state that the present practice of holding such sales in or near the Court house has this advantage

viz:

viz: that any irregularity on the part of the selling officer can at once be reported to the presiding Judge; on the other hand, it has the disadvantage of not enabling the intending purchasers to see the property for themselves at the time of the sale. The Civil Courts sell only the right, title and interest of the Judgment Debtor in the property sold. Intending bidders will therefore, have previously ascertained what encumbrances exist on the property. They are likely to have taken some pains to ascertain the true value of the Judgment Debtors interest in the property, and therefore it does not really matter much whether the sale takes place in the village where the property sold is situated, or near the Court house. Fraud and deception are equally likely to be committed by Subordinate Revenue Officers as by Ameens of Civil Courts. It is beyond doubt that the sales conducted by some Sheikdars are merely nominal - the sale bid-bizzy

written up in some private house. Under the present system this kind of fraud is impossible. A real sale has to be held, the sale list can be attested by the signatures (not marks) of independent persons who may be present in the Court house and who have no interest in the results of the sale. The only thing that has to be done is for the Court to see that due notice of intended sale is given to the Judgment debtor. If this is ensured, the risk of fraud and deception is much less than what it will be if the sales are entrusted to Sheikdars Further Amildars, Shristedars and Sheikdars have plenty of other work: they cannot conduct these sales without prejudice to their other ordinary work.

In

In cases, however, where the property to be sold is very valuable it may be desirable to authorise the Amildars (but no other subordinate officer) to conduct the sale on the spot. Such cases should be very rare.

(Sd) K. Mathan
General Asst. Commr.
Hassan District.

Copy

M H Wetherall
Deputy Commissioner
Hassan District.

98 ~~69~~

THE OFFICE OF THE REVENUE COMMISSIONER
No. 7336.
22 JUN. 04
BANGALORE.
MYSORE

From M. S. Narayana Rao Esq.
Deputy Commissioner
Shimoga dist

To J. Ananda Rao Esq
Revenue Commissioner
in Mysore

Dated 21st
Despatched June 1904
Received
General No. 575
No.

Enclosure No. 6.

With reference to his No 713-2
dated 12th May last forwards
his opinion as well as that
of Assistant Commissioners
on the subject of sales of
immoveable property of
Judgment debtors by Revenue
officers.

For a consolidated
report.
[illegible]
22 June 04

No.

Eng. No 675/8A28

Deputy Commissioner's Office
Shimoga District
21st June 1904

From
M. S. Narayana Rao Esq
Deputy Commissioner
Shimoga District

To
T. Ananda Rao Esq B.A
Revenue Commissioner
in Mysore

Sir

With reference to your Memo No 7113-2 dated 12th May last calling for an expression of opinion regarding the advisability of entrusting the work of conducting sales of immovable property to Revenue Officers instead of the Amildars is now done, I have the honour to forward copies of the marginally noted communications received on the subject from Assistant Commissioners and Amildars.

1. Letter No 198 of 20th May 1904 from the 2nd Asst Commr
2. do 282 of 26th May 1904 from the Asst Commr Nonnalli Dc
3. do 316 of 4th June 1904 from the Asst Commr Sagar.
4. 5 - Reports from Amildars

2. The officers consulted are not unanimous on the subject. But the preponderence of opinion seems to be in favour of entrusting the work to Revenue officers in the case of valuable property. Sales of such property can only be held with advantage on the spot and where valuable property is involved it is a matter of very great advantage if the Amildars can be authorized to conduct the sales. I

would however allow matters to remain as they are in the case of properties situated in one village and of an aggregate value of 500 Rs. and under. Cases in which properties of a higher value are involved are best dealt with by the higher class of Revenue Officers, viz: Taluk Shiristedars and Amildars who can spare the time wanted for attending to them.

I have the honour to be,
Sir,
Your most obedt Servt

[illegible],
For Deputy Commissioner
Shimoga District

Inst

#

From J Chokkanna Esq
2d Assistant Commissioner
Shimoga

To M. S. Narayana Rao Esq
Deputy Commissioner
Shimoga District

Dated 20th May 1904

Sir,

With reference to your Memo. No 2506 dated 18th May 1904 I have the honour to state that as it is the Taluk Revenue officers are heavily worked. The addition of this work means more scope to the Shekdars to harrass people. As stated by the Chief Judge relief against loss and deception in sales held by Amildars is more open to speedy rectification than if conducted by Shekdars. Amildars such as they are have no power to set aside sales. To obtain relief the party aggrieved will have to apply to the Deputy Commissioner or the Assistant Commissioner in charge

of the Taluk who can only obtain the necessary records and information through the Amildar. This at last is a slow process and the party seeking redress may not be able even to stop further proceedings in time

I am not therefore in favour of this proposal. I have te

Sd/ T. Chokkanna
2nd Assistant Commissioner
Shimoga

From C. Narayana Rao Esq
Assistant Commissioner
Nonnali Division

To M. S. Narayana Rao Esq
Deputy Commissioner
Shimoga District

Dated 26th May 1904
No 282.

Sir,

With reference to your official Memo No. 2506 dated 18th May 1904 calling for my opinion,

on General subject No 57 of Dasara Representative Assembly 1903, I have the honour to state that under the Revenue Code sales of immoveable property of the estimated value of Rs 100 and below are held by Shekdars, those upwards of 100 and up to 300 by Amildars and the rest by Assistant Commissioner who alone conducts sale of a whole Inam village whatever may be its value.

2. The sale of immoveable property by Revenue officers are conducted on the spot to afford an opportunity to all landowners and interested parties to be present at the sale.

3 It is generally the permanent residents near the immoveable property who could bid for them and it is then there will be competition among the purchasers.

4 The Court going persons and parties to the case attend the sales

held within the Court house. No doubt the parties have the opportunity to bring any irregularity to the notice of the Court. But the latter having no opportunity either to judge the estimated value of the land on the spot or persons likely to bid for the same will not be able to afford that relief as is sought for by Judgment debtors in the subject under reference.

5. I submit that it will no doubt be advantageous both to the Judgment debtors and the Government if the lands paying Revenue to Government of the estimated value of Rs 100 and above be sold by the Amildar of the Taluk in which the property is situated. The latter's travelling allowances may be defrayed by the party at whose instance the sale is ordered and the same included in the cost of the suit.

I have te

Sd/ C. Narayanaiah
Assistant Commissioner
Hanumali Du

1904 ~~75~~ 105

From B. Krishna Rao Esq
Assistant Commissioner
Sagar

To M. S. Narayana Rao Esq
Deputy Commissioner
Shimoga District

Dated 4th June 1904
No 316

Ref his no 2506 dated 18th May 1904 forwarding copy of Revenue Commissioner's circular No 7113-20 dated 12th May 1904 and requesting to be furnished with the opinion of the undersigned in regard to the advisability or otherwise of entrusting to the Revenue officers the sale of immovable property of a judgment debtor which is now being conducted by the officers of the Civil Courts

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Adverting to the above has the honour to state that in his humble opinion the complaint against the present practice is not altogether

groundless. But changing the Amins for the shekdars will be no improvement. When the value of the property to be sold does not exceed one hundred Rupees or so, the sales may be allowed to be conducted by the Amins not within the precincts of the Court as hitherto but in the village or villages wherein the property to be sold lies after due publication of the sale in that and the adjacent villages. Sales of more valuable property must be conducted in like manner by the Amildars themselves.

sd/ B. Krishna Rao
Assistant Commissioner
Sagar

"Copies"

[illegible],
For Deputy Commissioner
Shimoga District

[illegible]

74

[illegible]

[illegible]
13-6-90

[illegible]

Copy.

[illegible]
Forest Safety Commr
Chandigarh

నం 457

శిక్షాపత్రిక
20.5.1904.

శిక్షాపత్రికలు అనుసరించి పేర్కొనబడిన వివరములు
శిక్షాపత్రికలు జిల్లాలు అలంకరించినవి.

పిర్యాదులు వివరములు ఏవనగా 2 కేసులు
రిజిస్ట్రీ శిక్షపత్రిక నెం 15. 4. 1904 రిజిస్టరు నెం
2184/ఇ.జ లక్షలు రిజిస్ట్రీ సమరము నెం 12.5.1904 రిజిస్ట్రీ
నెం నెం 7113-20 రిమిషిం అలవరశిక్షద్వారా దండనాంద
నెం నెం నెం 17.5.1904 రిజిస్ట్రీ నెం నెం 166 రిజిస్ట్రీ లందు — శిక్ష
లు కొరకు ఆక్షేపణ వర్గీకరణ జరిగి శిక్ష శిక్షపత్రికలు గల
మేరకు నెం నెం రిజిస్ట్రీ ఆక్షేపణలు గలవి అంటే
విడిచిపెట్టబడ్డవి —

శిలాక్షరశాసనాలు గల మేరకు నెం నెం గల్గి నెం నెం
లక్షణాలు కొరకు పేర్కొన్న యే నెం నెం నెం అల్పాలు-
ఆధారంగా నెం నెం రిజిస్ట్రీ ఆక్షేపణలు గల
కొలువు నెం నెం శాసనాలు నెం నెం నెం నెం అభిప్రాయ
పరుచుకొని - వ్యాఖ్యానం చేయబడినవి.

Sd/ P. Subbarayalu Naidu
Amildar

Copy

[illegible]
for Deputy Commissioner
Shimoga district

నెం. 595.

తా. 22-5-1904

[illegible]

నెం. 166 / 17-5-04

[illegible]

[illegible]

[illegible]

తిరువాళూరు తాలూకా
నెం. 457

~~77~~ 110

శ్రీ రమేశ్ బాబు, ఐ.ఎ.ఎస్., సబ్ కలెక్టరు వారి వారసత్వ
కార్యదర్శి వారు తిరువళ్ళూరు.

తా. 25-5-04

సర్వశ్రీ వారి నెం. 166/47-5-04 నెలవారీ నివేదిక
అత్రిమ తిరువళ్ళూరు వారి తిరువళ్ళూరు తాలూకా మీటింగు నిర్ణయం
రాబట్టుట గురించి తిరువళ్ళూరు నుండి చెన్నపట్నం వరకు చేరుకొంటున్న
విషయమై -

తిరువళ్ళూరు నుండి చెన్నపట్నం వరకు రోడ్డు వెంబడి నత్తి కారు
ద్వారా కొంటున్న అక్రమ నత్తి కారు కొంటున్నవారిని నత్తియు
వరకూ ఆ కల్లుగీత వారు తిరువళ్ళూరు నుండి నత్తియు చేరకుండ
కొంటున్నారు. తీసుకొనుచున్నారు. నత్తి చేరకుండా
తీసుకొనుచున్నారు. నేలమీద పడుతున్నవి. తీసుకొనుచున్నారు
ఊరిలో కల్లుగీత వారు నష్టపోతున్నారు. ఇందువలన వారు
ధరలు ఆ ఊరి కల్లుగీత వారు తిరువళ్ళూరు నుండి మీటింగు వారు
కల్లుగీత వారు కూడా నత్తియు చేరకుండా

ఈ కల్లుగీత వారు ఈ తిరువళ్ళూరు ఆ కల్లుగీత వారు
తీసుకొనుచున్నారు. వారి యోగక్షేమం కాలక్షేపం యాజమాన్యం క్రమ
వారసులు చరుకు లేదు. నేను పని చేస్తున్నాను. నత్తియు వద
నేను ఒక బ్రాహ్మణ వారసులు అయి యున్నారు. వారు
రాబడి లేక ఒక్కొక్క నత్తియు వద క్షేమం లేదు
తీసుకొనుచున్నారు. వారు రాబడి అంధకారం అవుతున్నారు
కి చెప్పుకొనుచున్నారు. ఈ విషయం వచ్చినట్లయితే చర్యలు
తీసుకొనుచున్నారు. బాధపడుతున్నారు. నత్తి కారు తిరువళ్ళూరు
మీద నత్తియు వదు. ఆ కూలి వారు చేరలేదు
కోరుచున్నారు. అక్రమ యు చేయుచున్నారు. మీరు కోరుచున్నారు

Sd/- S. Venkataramana Sou.
Amildar

"True copy"
Sri Manaiyadi
For [illegible]

111

శివన్నపేట
307

కాలము 23 మే మాసము
1904 సం॥

శివగంగా ఆస్థాన విద్యాధికారి
గారికి

వారి తాలూకా గా అమాల్దారవగుదురు

మీ రసీదు 17.5.1904 నాటి 13వ నంబరుగల
166 నెల నిధులకు సంబంధించి మీరు అందజేసిన
రిపోర్టు సంతోషకరమైనది.

మీ రుజువు చొప్పున పాఠశాలకు అవ
సరమైన పుస్తకములు మీరు తగిన ప్రకారము సమకూర్చవలెను. సం
వత్సరము మొదటికి ప్రతి నెలకు నివేదిక పంపవలెను. అమీనులు
మీ ఆజ్ఞప్రకారము పాఠశాలలు నడుపుచున్నారా లేదా అని
పరామర్శించవలెను. అమీనులు పాఠశాలలు
మీ ఆజ్ఞప్రకారము నడుపుచున్నారా లేదా అని పరామర్శించి
నట్లు మీ ఆజ్ఞప్రకారము అమీనులు ఇరవై నెలలకు ఒకసారి
వచ్చి పాఠశాలలు పర్యవేక్షణ చేయవలెను. పాఠశాల కార్యక్రమాలు
సంతృప్తికరంగా నడుపుచున్నారా లేదా అని పరామర్శించి
పాఠశాలలకు. ఇవి నడుపుచున్నారా లేదా అని పరామర్శించి
మీ పేరు వంతులవారీగా ఉత్తరవులు అమీనులకు
అందచేయవలెను. ఇట్లు

సంతకము
అధ్యక్షుడు మరియు కార్యదర్శి

కాపీ నకలు.

"Copy" 112

Mr Wasserthal,
Deputy-Commissioner
Shimoga Dist —.

~~77~~

THE OFFICE OF THE REVENUE COMMISSIONER
No. 7253
20 JUN 04
BANGALORE
IN MYSORE

From The Deputy Commr
Kolar District

To The Revenue Commr.
Bangalore

Dated 17th June 1904

Despatched 18th.

Received

General No. 6002
No. 540

Enclosure No. 7

Report on the conduct of civil court sales of immovable property thro. the Revenue Agency —

Acknl. receipt of reports for the Bldgs

[illegible]
[illegible]

113

Deputy Commissioner's Office
Kolar District
Dated 17th June 1904

From
K. L. Pittanna Chetty Esqr
Deputy Commissioner
Kolar District

To,
V. Ananda Rao Esquire
Revenue Commissioner
in Mysore.

Sir,

With reference to your Circular No. 7113-20 dated 12th May 1904 in the matter of conducting Civil Court Sales of immovable property through the agency of the Revenue Officers, I have the honor to state that Revenue Officers have enough of sales to conduct in their own Department, and these are not always done in a satisfactory manner. The sales in Civil Cases are numerous and if these also are saddled on the Shekdars, the work in the Revenue branch which is

already

already heavy and badly performed is sure to suffer thereby. The auction sales under decrees of Civil Courts are in my opinion better conducted by the Amins and others in the premises of the Courts after due notice. There is no good reason to change the system and entrust the work to Revenue officials which, in most cases, means Shekdars, who are in no way better than Court Amins. I fully concur with the views of the Chief Judge who is in favor of the existing arrangements.

The reports of the selected officers in the matter are enclosed.

I have the honor to be,

Sir,

your most obedient Servant,

H P Nittannapett

Deputy Commissioner

Kolar District

(1) No: 342 dated 20th May 1904 from Mr. K. R. Seeniwasaiyengar, Asst. Comr.

(2) 265 dated 4th June 1904 from Mr. B. Ramaswamiya — do —

(3) No: 5-37 from the Auditor of Kolar

Reg no. 4875-80 3-04. 115
4117

1903-4

FROM K. R. Sreenivasaiengar Esquire
Assistant Commissioner
Chintamani Division

To K. R. Puttanna Chetty Esquire
Deputy Commissioner
Kolar District

Dated 20.5.04

Despatched

Received

General No. 342
No.

Enclosure No. Nil

Recd 20-5-04

Sir

With reference to your No 5294-8 / 4347-51 dated 18 ins. instant calling for my opinion in the matter of conducting Civil Court sales of immovable property through the agency of the Revenue officers, I have the honor to state as follows:—

There is no doubt that there will be considerable room for deception and foul-play, when Civil Court sales are conducted by such low paid officers as Amildars. But matters will

Submit to the Kolar Deputy Commissioner

Disp 27/8/04

No. S-80 80 C-1764-5 dt 30/5

will not injure much by transferring the work to the Sheriffs, whose general standard of morality is probably not higher than that of Ameens. If all Court sales can be conducted in or near the Court itself under the supervision of the presiding officer, there will not be any room for complaint. Where this course cannot be adopted the sales may, I think, be conducted by the Court Ameens, if the lands have an estimated value of less than 50 Rs; and by a Revenue officer of not less than the grade of a Deputy Amildar, whenever the estimated value of the lands is not less than 50 Rs.

I have the honor to be
Sir
Your most obedient Servant.

[illegible]
Deputy Commissioner

117

Reg no. 5140/4295-903. 9

1904

From B Ramaswamaja Esqr. B.A.
Ag: Assistant Commissioner
Malur Division

To
K.P. Puttanna Chetty Esquire
Deputy Commissioner
Kolar District

Dated 4th June 1904

Despatched

Received

General No. 265
No.

Enclosure No. 3

Malur Sub-div report no 790 of 29-5-1904
Mulbagal do 971 of 26-5-1904
Bowringpet do 183 of 25-5-1904

Sir

With reference to your Memo No. 5294-8/4347-51 of the 18th May 1904 calling for my opinion and for that of the Amildar of my division, I have the honor to report that the Revenue officers have enough of sales to conduct in their own department. The auction sales under decrees of Civil Courts are better

RD 6-6-04
Shall collect other reports & report
9-6-04

better conducted by the Amins and others in the premises of the Courts after due notice and there is no good reason to change that System. It is not desirable to entrust this work to Revenue officials and to render them subordinate to the Civil Judges. Besides the work in Revenue Branch which is already heavy is sure to suffer thereby.

2/ The reports of the Amildars of Malur Mulbagal and Bowringpett, as noted in the margin are enclosed. The Amildars of Malur and Bowringpett are of the same opinion as myself. But the Amildar of Mulbagal opines that the Civil Court sales might also be entrusted to Revenue officials.

I have the honor to be
Sir
your most obedient Servant
A M [illegible]
Ag: Assistant Commissioner
Malur Division

Circular.

119

85 ౧౨౦

మండలాధికారులు ఆర్.డి.ఓ. గారు సర్కులర్ పంపించినది

విషయము: కొత్త అమ్మకపు పత్రాలు

సివిల్ కోర్టు డిక్రీ మేరకు ఆస్తి అప్పగింత

రాష్ట్రంలో కోర్టు వివాదాలు పరిష్కరించడం జరుగుతున్నది. అయితే కొన్ని సందర్భాలలో కోర్టు తీర్పు ఆధారంగా అమ్మకపు పత్రాలు చేయగా వారు వాటిని నమోదు చేసుకోవడం లేదు. ఇటువంటి సందర్భాలలో కోర్టు తీర్పు ఆధారంగా వచ్చిన అమ్మకపు పత్రాలు ఎలా నమోదు చేయాలనే విషయం గురించి అనేక సందేహాలు ఉత్పన్నమవుతున్నాయి. అదేవిధంగా ఇటీవల కొన్ని సందర్భాలలో అధికారులు కోర్టు తీర్పు ఆధారంగా వచ్చిన అమ్మకపు పత్రాలు నమోదు చేయడానికి నిరాకరించడం జరుగుతున్నది. కాబట్టి ఈ విషయమై ఆర్.డి.ఓ. గారు తేది 18.5.04 న రాసిన 5294-8/4347-51 నెం. సర్క్యులర్ ద్వారా తెలియజేయడమైనది. దీనిని అనుసరించి తగు చర్యలు తీసుకోగలరు. తేది 22.5.04

Sd/-

Asst. Commissioner

Malur Division

Asst Commissioner

Malur Division.

120
2

22/5/904 ದಿನ 20ದಿಂದ ಇಟ್ಟುಕೊಂಡ

25/5/904

176

25/5/904

Circular

అ.ఎ.నం.వి2/1092 h020 121 తేదీ 9/7/30

సర్కులరు జి.వి.బి.ఎ.కె.ఎస్.ఎం.రవర్లకు వీరిచేత

మళ్ళబంగల్ శాంక్షన్ అవుతున్నదనగా

కొంతకాలంగా ఉద్యోగస్థులు ఆదాయపు పన్నుకు సంబంధించిన పత్రాలు శాఖలో సమర్పించడం లేదని తెలుస్తోంది. ఇలా జరగడం వల్ల ఆదాయపు పన్ను వసూలు చేయడానికి ఇబ్బందులు ఏర్పడుతున్నాయి. అట్లా జరగకుండా ఉండేందుకు ఈ క్రింది విధానాన్ని అనుసరించాలని నిర్ణయించడమైనది. ఉద్యోగస్థులు ఆదాయపు పన్ను చెల్లించినట్లు రుజువు పత్రాలు సమర్పించినట్లయితే మాత్రమే మళ్ళబంగల్ మంజూరు చేయవలసిందిగా అధికారులు ఆదేశించబడుతున్నారు. ఈ విధానాన్ని ఇప్పటికే అమలులో వున్న సర్కులరు జి.వి.బి.ఎ.కె.ఎస్.ఎం. రవర్ నం. 18.5.04 నాటి 5294-8 / 4347-51 నెం. సర్కులరు నందు పేర్కొనడమైనది. దీనిని అమలు పరచవలసిందిగా కోరడమైనది.

వి.నా. 22-5-1904

Apt Commr

Mr. Khursheed

Scale 971

26/5/04

Commissioner

Madur Divisio

122

ಹಾಲು

ಸಂಗ್ರಹಣೆ

ಹಾಲು ಸಂಗ್ರಹಣೆ ಕೇಂದ್ರಗಳನ್ನು ತೆರೆಯಲು ಸಂಬಂಧಿಸಿದಂತೆ ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ ಕೃಇಇ 3ಹೆಚ್ಎಸ್ 2004 ದಿನಾಂಕ 18.5.04 ರಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಹೊರಡಿಸಲಾಗಿರುತ್ತದೆ. ಆದುದರಿಂದ ಸದರಿ ಆದೇಶದ ಪ್ರತಿಯನ್ನು ಈ ಕೆಳಗೆ ಲಗತ್ತಿಸಿದೆ. ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ ಕೃಇಇ 3ಹೆಚ್ಎಸ್ 2004 ದಿನಾಂಕ 18.5.04 ರಲ್ಲಿ ಹೊರಡಿಸಿದ ಆದೇಶ ಸಂಖ್ಯೆ 5294-8/4347-51 ರಲ್ಲಿ ಹಾಲು ಸಂಗ್ರಹಣೆ ಕೇಂದ್ರಗಳನ್ನು ತೆರೆಯಲು ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ ಕೃಇಇ 3ಹೆಚ್ಎಸ್ 2004 ದಿನಾಂಕ 5.7.2004 ರಲ್ಲಿ ಹೊರಡಿಸಿದೆ.

ಆದೇಶ

ಆಯುಕ್ತರು

29.5.2004

{ Rd on 27th from KSS
Despd on 27th

Asst Commissioner
Malur

123

894

29-5-90

124

Deputy Commissioner's Office
Kolar District
Dated 27th May 1904.

1908-9

Memo

The Amildar of the Kolar Taluk is requested to send in ~~his~~ early his report in the matter of conducting Civil Court Sales of immoveable property through the agency of Revenue officers, called for in this office No $\frac{5294-8}{4347-151}$ dated 18th instant

Circular 537
28-5-904

Blumhardt
for Deputy Commissioner
Kolar District

179 Sued the Officer
The work in Talus has greatly increased of late. If an amildar did work willingly he has more than enough to do on the Revenue side. The sales in civil cases are so numerous. If these also are added to him, there will be delay not only in such cases but also in other work Revenue criminal &c. So if at all

the Sudan will have to be entrusted with it. But the present class of Sudanese are in no way better than Court Amleers.

I fully concur with the view of the Chief Justice of the Khartoum Civil Court. This be the case the Judges are left to their civil courts themselves to be conducted through the Judges only. This will prevent delay & unnecessary correspondence between Judges & civil courts & will not be an additional burden to the Sudan.

Dunmore Cunyngham
28/5/02.

88

THE OFFICE OF THE REVENUE COMMISSIONER
No. 7254
20 JUN. 04
BANGALORE,
MYSORE

From

The Deputy Commissioner
Kadur District

To

The Revenue Commissioner
in Mysore.

Dated 17th
Despatched 17th June, 1904.
Received
General No. 359
No.
Enclosure No. One.

Forwarding copy of 2d Assistant Commissioner's letter expressing his opinion in re. Civil Court sales by Revenue Officers.

—

Please this with the Kadur D. C.'s letter

[illegible]
20/6/04

126

Deputy Commissioner's Office
Kadur District.
Chikmagalur 17th June 1904

From
M. Narain Rao Esq
Deputy Commissioner
Kadur District

To
T. Ananda Rao Esq, B.A.,
Revenue Commissioner in Mysore.

Sir,

In continuation of my letter No. 357 of the 7th instant, I have the honor to forward herewith for information copy of letter No 61 dated 16th idem received today from Mr. A. Vedantadesigam Iyengar, Officiating Extra Assistant Commissioner of this District, expressing his views on General Subject No 57 of the Dasara Representative Assembly of 1903.

I have the honor to be,
Sir,
Your Most Obedient Servant

M. Narain Rao
Deputy Commissioner

Ans

No. 61. Dated 16th June 1904

From A. Vedantadesigam Iyengar Esq
2d assistant Commissioner
Kadur District

To M. Narain Rao Esq
Deputy Commissioner
Kadur District

Sir,

In reply to your official memo No. 1197 dated the 17 ultimo, I have the honor to state that, as very aptly remarked by the Chief Court, if the Sales have to be conducted by the Revenue Officers they will be mostly done by the Sheikdars which cannot improve matters The Amildars have so much other work to do that they cannot be expected to attend to the Sales of property under the decrees of the Civil Courts It is the

duty

duty of the parties to see that no incorrectness creeps into the Sale records. The Sale by the Revenue Authorities may be nothing more than encroachment upon the first court work. As far as I am aware, the duty of delivering the property is generally entrusted to court Amins and several irregularities are found out in the discharge of their duties, either owing to their ignorance or wilfulness and it seems therefore desirable that the said work is executed both by the Amin and a Shekdar and in complicated cases the services of a Mojamidar may also be utilized.

I have &c

(Sd) A. Vedantadesigam Iyengar
2d Assistant Commissioner

"Copy"

M Narain Rao
Deputy Commissioner
Kadur District

Ans

THE OFFICE OF THE REVENUE COMMISSIONER
No. 7224
18 JUN. 04
BANGALORE,
IN MYSORE

From The Deputy Commissioner
Kadur District

To The Revenue Commissioner
in Mysore

Dated 16th

Despatched Do June 1904

Received

General No. 357
No.

Enclosure No. 1.

Circulate replies from other districts.

h.a.
18.6.04

His circular No. 7113-20 dated 12th May 04.

—"—

Reporting in the matter of entrusting Revenue Officers with the conduct of Civil Court Sales in execution of decrees.

—"—

12A Deputy Commissioner's Office
Kadur District
Chikmagalur 16th June 1904.

From
M. Narain Rao Esq.
Deputy Commissioner.

To
T. Ananda Rao Esq B.A.,
Revenue Commissioner in Mysore

Sir,

In reply to your Circular No 7113-20 dated 12th ultimo, regarding a proposal made by a member of the Dasara Representative Assembly in 1903, that sales of immoveable property in execution of decrees of Civil Courts may be ordered to be conducted by Revenue Officers, I have the honor to state that I fail to see the object with which the proposal has been made. If by "Revenue Officers" the member meant "Sheikdars", I must say that the latter are, by their ignorance of the procedure of Civil Courts, quite unfit to undertake the work of conducting Civil Court

Court Sales. At any rate, the Sheikdar is in no way better than the Court Amin either for good or for bad — Most of the Sales conducted by Amins being, as remarked by the Chief Judge, held in or near the Court House, there is every guarantee that no deception is practised, whereas if the Sheikdar or the Revenue Officer were to be allowed to hold the Sale in the village in which the immovable property is situated, there will be free scope for the commission of fraud if the Official be so disposed. The Sheikdar has already much Revenue work to do and it is impossible for him to undertake the conduct of civil Court Sales in addition and do full justice to it.

2. Again, under Section 286 of the

the Civil Procedure Code, Sales in execution of decrees should be conducted by an officer of the Court or by any other person whom the Court may appoint. Sheikdars and other Revenue Officers are not officers of the Court, and if they are specially appointed by the Court for the purpose of conducting sales, almost the whole of their time would be occupied in attending the Court to give evidence in matters connected with the sales held by them. The conduct of operations connected with the sale of property in execution of Civil Court decrees, — the attachment, the sale, the delivery of possession, etc. — requires a full-time official and the work cannot therefore advantageously be tacked on to a

Revenue

Revenue Officer

3 If in respect of any Estate, the Deputy Commissioner thinks that a public Sale by Court is objectionable, he may, under Section 326 of the Civil Procedure Code, move the Court to allow the Estate to be placed under his management till the decree is Satisfied This provision would enable owners of encumbered Estates to save them from an outright Sale

4. Copy of assistant Commissioner Mr. D'Souza's docket No 66 - dated 28th ultimo on the subject is herein enclosed. The Amildars of Koppa and Mudigere are not in favor of the proposal under discussion. The other amildars have not as yet sent in their reports.

I have the honor to be, Sir
your most obedient Servant
M Narain Rao
Deputy Commissioner

No 66 dt 25/28 May 1904

From Peter Geo D'Souza Esq BA BL,
Assistant Commissioner
Kadur District

To M Narain Rao Esq
Deputy Commissioner
Kadur District

His memo No 1197 of the 17th May 1904 forwarding for opinion General Subject No 57 of Dasara Representative Assembly 1903.

—o—

With reference to the above has the honor to state that, in the opinion of the undersigned, there is no advantage to be gained by entrusting such sales to Revenue Officers who are already overburdened with work and such a course will only tend to increase the grievances complained of by lessening the

checks

checks which already exist, to prevent any ill-doings in such Sales

2 It is a matter of notoriety that there are more complaints about Revenue Sales than about court Sales. –

Thavste

Sd/ Pet. Geo. D'Souza
assistant Commissioner

"Copy"
Attd

M Narain Rao
Deputy Commissioner
Kadur District

135

THE OFFICE OF THE REVENUE COMMISSIONER
No 6754
31 MAY 1904
BANGALORE.
IN MYSORE

From K. Subbanna Iyer Esq.,
Offg. Deputy Commissioner
Tumkur District.

To J. Ananda Rao Esq., B.A.,
Revenue Commissioner
in Mysore.

Dated 28th
Despatched } May 1904.
Received

General No. 360
No.

Enclosure No.

His Memo No 7113-20 dated the 12th instant, forwarding copy of Secretary's docket No 2184 dated the 15th April 1904 and calling for the opinion of the Deputy Commissioner and of selected Assistant Commissioners and Amildars on General Subject No. 57 of Dasara Representative Assembly 1903 in re conducting sales of immovable property of decrees of Civil Courts

Ref.
lee
31.5.04

Subd with refs
Ly. 6/6/04

Subd.
Reminders may be sent to the other districts
lee
8. June 04

Pls marked "Urgent"
8/6/04

Some reminders early.
lee
10th June 04

With reference to the above under-signed has the honor to state that he concurs with the Chief Judge in thinking that no interference with the present practice is called for. The sales in question as now conducted afford the greatest security against fraud and irregularity.

Should these sales be transferred to the Revenue Officers as recommended by the Representative member they would no doubt have to be conducted by the Shekdars who are already a heavily worked class of public servants.

B B Chunadam
for Offg: Deputy Commissioner,
Trichur District.

137 4

G.R.S. 28]

File No. 128

Serial No. 3

Diary No. of letter replied to _____

Proceedings of the Government of His Highness, the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT
(Courts.)

, the 22/11/ 1904

Date of issue 29/11/04

Signed by Mr B.K. Venkatarangayya
Taken under proposal.

READ.—

Docket No. 2/84 dated the 11th April 1904 to the Revenue Commissioner in Mysore requesting him to investigate and favour the Government with his views on the question of the sale of immovable properties in execution of civil decrees being conducted by revenue officers as suggested in the Representative Assembly of 1903.

2. Letter No. 8/97 dated the 7th October 1904 from the Revenue

over

ORDER THEREON.—No.

bl
12/11/04

Flag (X)

SUBJECT

Seen
24-11-04

Commissioners in Mysore stating in reply that the opinions of the Deputy Commissioners and others consulted are conflicting; that personally he is averse to the Revenue officers being required to undertake this additional work to the prejudice of their legitimate duties, but that, if needed, the sales of properties paying Government an assessment of not less than Rs 500/- may be transferred to the Deputy Commissioners of Districts.

3. The opinion of the Chief Judge of the Chief Court that most of the sales by auction are made in the courthouse or near it; that if there is any fraud or irregularity, the same may be then and there brought to the notice of the Judge and that there appears no good reason to exhaust the duty to

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation Sheet draft form.)

Revenue Office

Order Record — 1329-4 / C.128-3 8/2/1904

Under the circumstances set forth in the aforementioned communication, the Government are unable to accord their sanction to the proposed change.

12.11.1904
Secretary

2786
18.XI.04

19.11.1904

To
The Revenue Commr. in Mysore.
The Registrar of the Chief Court
Sir, 1325 / C.128-3 8/22/11/04
The Secretary in charge of the Res. Assembly Report begs
By order
12.11.1904
Secretary

5-11-04

15-11-04

Copd. V.M.R. 21-11-04

Encd: [illegible]